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LEGISLATIVE HISTORY

Public Law 89-39
S. 435

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INDEX AND SUMMARY OF S. 435

Jan. 12, 1965	Sen. Church introduced and discussed S. 435 which was referred to the Senate Interior and Insular Affairs Committee. Print of bill and remarks of author.
Feb. 25, 1965	Senate subcommittee reported S. 435 to the full committee.
Mar. 3, 1965	Rep. White (Idaho) introduced and discussed H. R. 5798 which was referred to the House Interior and Insular Affairs Committee. Print of bill and remarks of author.
	Senate committee reported S. 435 with amendment. S. Report No. 70. Print of bill and report.
Mar. 4, 1965	Senate passed S. 435 as reported.
Mar. 5, 1965	S. 435 was referred to the House Interior and Insular Affairs Committee. Print of bill.
Apr. 13, 1965	Rep. Hansen (Idaho) introduced H. R. 7427 which was referred to the House Interior and Insular Affairs Committee. Print of bill.
May 11, 1965	House subcommittee voted to report H. R. 5798.
May 12, 1965	House committee voted to report H. R. 5798.
May 18, 1965	House committee reported H. R. 5798 with amendments. H. Report No. 351. Print of bill and report.
May 20, 1965	House passed S. 435 with amendment, after substituting the text of H. R. 5798.
	H. R. 5798 was indefinitely postponed due to passage of S. 435.
June 1, 1965	Senate concurred in House amendment to S. 435.
June 14, 1965	Approved: Public Law 89-39.

DIGEST OF PUBLIC LAW 89-39

EXTENSION OF KANIKSU NATIONAL FOREST, IDAHO, BOUNDARIES.

Authorizes the Secretary of Agriculture to extend the boundaries of the Kaniksu National Forest, Idaho, by acquisition of certain separate parcels of land with a combined area of approximately 417 acres.

89TH CONGRESS
1ST SESSION

S. 435

IN THE SENATE OF THE UNITED STATES

JANUARY 12, 1965

Mr. CHURCH (for himself and Mr. JORDAN of Idaho) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, to promote protection and conservation of the outstand-
4 ing scenic values and natural environment of Upper Priest
5 Lake in Idaho and lands adjacent thereto for public use
6 and enjoyment, the boundaries of the Kaniksu National
7 Forest are hereby extended to include those of the lands
8 hereinafter described which are not now within such bound-
9 aries. In order that they may be managed under the prin-
10 ciples of multiple use and sustained yield, the Secretary of

1 Agriculture is hereby authorized to acquire the following
2 lands at their fair market value:

3 Township 63 north, range 4 west, Boise meridian:

4 section 18, southeast quarter southeast quarter;

5 section 19, northeast quarter northeast quarter, lot 3

6 (southeast quarter northeast quarter) ;

7 section 20, southwest quarter northwest quarter;

8 section 33, lot 1 (northeast quarter northwest quar-

9 ter), lot 2 (southeast quarter northwest quarter), lot 3

10 (northeast quarter southeast quarter), lot 6 (southeast

11 quarter southwest quarter), west half southwest quarter

12 northeast quarter, west half northwest quarter southeast

13 quarter, southwest quarter southeast quarter.

14 Township 63 north, range 5 west, Boise meridian:

15 section 24, northeast quarter northeast quarter, east

16 half northwest quarter northeast quarter, northeast quar-

17 ter northeast quarter southwest quarter northeast quarter,

18 northwest quarter southeast quarter northeast quarter,

19 lot 2 (northeast quarter southeast quarter northeast

20 quarter), lot 3 (northeast quarter southeast quarter

21 southeast quarter northeast quarter).

22 SEC. 2. There are hereby authorized to be appropriated

23 such funds as are needed to carry out the purposes of this

24 Act.

A BILL

To extend the boundaries of the Kamiksu National Forest in the State of Idaho, and for other purposes.

By Mr. CHURCH and Mr. JORDAN of Idaho

JANUARY 12, 1965

Read twice and referred to the Committee on Interior
and Insular Affairs

(b) This Act does not prohibit applications, under laws and regulations then existing, for further restrictions at the time of termination or expiration of the restriction made by this Act.

(c) The right to enter the area restricted by this Act and to use it for the defense purposes set forth in the application for restriction becomes effective upon the date of enactment of this Act.

(d) This Act does not limit the authority of the Secretary of the Interior under section 11 of the Outer Continental Shelf Lands Act (43 U.S.C. 1340), except that the authority may be exercised within the area restricted by this Act only with the concurrence of the Secretary of Defense.

SEC. 2. The area restricted by this Act is so much of the outer Continental Shelf as is embraced in an area described as follows:

Beginning at a point 28 degrees 10 minutes 00 seconds north, 94 degrees 45 minutes 00 seconds west; thence east to 28 degrees 10 minutes 00 seconds north, 94 degrees 14 minutes 00 seconds west; thence south southeast to 27 degrees 22 minutes 00 seconds north, 93 degrees 26 minutes 00 seconds west; thence southwesterly to 26 degrees 00 minutes 00 seconds north, 95 degrees 05 minutes 00 seconds west; thence north northeasterly to point of beginning, being 28 degrees 10 minutes 00 seconds north, 94 degrees 45 minutes 00 seconds west, containing 3,874,291 acres, more or less.

The letter presented by Mr. JACKSON is as follows:

DEPARTMENT OF THE AIR FORCE,
Washington, January 4, 1965.

DEAR SENATOR HAYDEN: There is forwarded herewith a draft of legislation "To provide for the restriction of a certain area in the Outer Continental Shelf for defense purposes, and for other purposes (Matagorda Water Range)."

This proposal is pursuant to the provisions of Public Law 85-337 and is part of the Department of Defense legislative program for the 89th Congress. The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Air Force has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposed legislation be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of this proposed legislation is to restrict the utilization of certain submerged land, described in the attached draft of the Outer Continental Shelf off the coast of Texas, and to restrict the operation of mineral leasing laws therein. A letter of intent to restrict the utilization of the submerged land area has been submitted to the Department of the Interior.

The installation involved is the Matagorda Water Range consisting of 3,874,291 acres of airspace, water, and submerged land which is used by Strategic Air Command B-58, B-52 and B-47 combat air crews for operational readiness inspections and day-to-day aerial gunnery training. Air crews from numerous bombardment wings located in the south central United States require this range on a full-time basis in the support of live firing training and testing to maintain combat proficiency.

COST AND BUDGET DATA

The area involved replaces the old Matagorda Water Range and there will be no change in Department of Defense appropriations.

Sincerely,

EUGENE M. ZUCKERT.

ESTABLISHMENT OF OFFICE OF DEPUTY PRESIDENT

Mr. McCARTHY. Mr. President, I introduce, for appropriate reference, a bill to establish the office of Deputy President to provide for the continuous discharge of the powers and duties of the office of President.

The Senate showed its concern about the problem of succession at the last session when it approved the proposal for a constitutional amendment to deal with the question of succession and disability. I supported the amendment and am a cosponsor of the resolution introduced by Senator BAYH this year dealing with the same problem.

However, as we know, the method of amending the Constitution is often a slow process. Even if both Houses of Congress were to approve the amendment, there is no certitude it would be approved by the States or, if they do approve, it might take several years before the required three-fourths of the States would act favorably. Of course, no President has attained office under any of the succession laws enacted by Congress, but even if the possibility is remote, we should act now to provide a better procedure by statute.

The office of Vice President has been vacant on 16 occasions in our national history—8 times because the Vice President succeeded to the Presidency, 7 times through the death of the Vice President, and once following resignation of the Vice President. The Constitution authorizes Congress to provide for succession by statute. The presidential succession laws enacted by Congress in 1791, 1886, and 1947 have been adequate to protect the national interest. But the responsibilities of the President have increased greatly in recent years, and so has the need for the official next in line of succession to be experienced and well-informed about the duties he may be called up to assume.

The bill I am introducing would create a new office of Deputy President. This office would be filled only in the event that the office of Vice President is vacant. Nomination to the position would be made by the President within 30 days following the vacancy in the office of Vice President and confirmation by the Senate would be required. The bill also designates the Deputy President as first in line of succession to the Presidency in event of the death or disability of the President. The President would make his nomination from among the highest Federal officers—the members of the Cabinet, the Supreme Court, and the Congress—and the Governors of the States.

In effect, my proposal returns to the succession policy in effect from 1886 to 1947. During this period the Secretary of State, a Presidential appointee confirmed by the Senate under constitutional procedures, was next in line. Under my proposal the Deputy President would be first in line of succession, to be followed by the Secretary of State and other Cabinet officers.

The President has need of a Vice President, or equivalent officer such as the Deputy President provided under this bill, to assist him in the performance of his duties. The Nation should have the assurance that the Vice President, or other officer, has acquired daily familiarity with the operations and policies of the office to which he may succeed and with the executive personnel with whom he must work.

A major advantage of creating a new office of Deputy President is that the choice of a Deputy President would be made only when the office of Vice President was vacant, and it would be with the understanding that the Deputy President would have the right of succession. A weakness of our previous succession laws has been that the designated official often attained his position for reasons and considerations quite apart from the possibility of succession.

Another weakness has been that the designated officials under previous legislation have had other responsibilities which require their full attention. The official next in line should be able to give full-time assistance to the President and be able to acquire the practical experience of the responsibilities of the Presidency. Neither the Speaker of the House, as under the present law, nor the Secretary of State, as once provided, can as adequately fulfill this twofold responsibility. They hold important positions in their own right, and their offices necessarily take their full time. On the other hand, their responsibilities are specialized and do not provide the broad range of experience which the officer next in line of succession needs at this time in our national history.

Finally, the proposal would guarantee leadership by the political party which won the previous election. In 8 or the past 18 years, the Speaker of the House has been a member of a different party from the President. In event of a double vacancy, a complete change of administration would have followed. The succession law should respect the mandate of the people, who vote not only for a man but also, in a broad way, for his party and its program. The elevation of a leader of another party in midterm is undesirable in principle and could have most unfortunate practical effects.

We are all, of course, most hopeful that the succession law will never be needed. Yet history requires us to be objective and to use prudent judgment to provide procedures that, in event it must be, will best provide an experienced successor. Enactment of the bill I am introducing will not prejudice action on a constitutional amendment; rather, it provides a means by which the succession law can be improved now and also in the event that a constitutional amendment is not approved or its approval takes the full 7 years following submission by Congress, as provided in the proposed amendment.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 432) to establish the office of Deputy President, to provide for the continuous discharge of the powers and duties of the office of President, and for other purposes, introduced by Mr. McCARTHY, was received, read twice by its title, and referred to the Committee on Rules and Administration.

SALE OF CERTAIN LAND IN LANDER, WYO.

Mr. SIMPSON. Mr. President, on behalf of Senator McGEE and myself, I send to the desk a bill for proper reference that will authorize the Secretary of Agriculture to sell certain land in Lander, Wyo.

The Forest Service in the middle 1930's acquired two city lots on which were built a warehouse and a garage.

During the last 5 years, the town has grown and now the business district surrounds these two city lots. Consequently, they have appreciated in value.

Because of the increased activities of the Forest Service, this land and its facilities are not adequate, nor does it appear feasible for them to attempt to remodel the buildings. The Forest Service must expand if it is going to properly carry out its functions in the mountainous areas which fall in the jurisdiction of the Lander office. The Forest Service wants to acquire land outside of the city, which would give them room to house and store their equipment. This piece of legislation would permit the Forest Service to sell the presently occupied land at fair market value and use the benefits from the sale for acquiring new land and building new structures.

I am hopeful that the committee to which this bill is referred will act on this at its earliest possible convenience.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 433) to authorize the Secretary of Agriculture to sell certain land in Lander, Wyo., and for other purposes, introduced by Mr. SIMPSON (for himself and Mr. McGEE), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

UPPER PRIEST LAKE IN IDAHO PROPOSED AS ADDITION TO KANIKSU NATIONAL FOREST

Mr. CHURCH. Mr. President, Upper Priest Lake in the Panhandle of northern Idaho is a gemlike body of water in a setting encircled with evergreen forests and rugged mountains. It is less than 4 miles long and three-fourths of a mile wide, and located near the Washington State and Canadian borders. Its beauty is unmarred by commercial development of any kind. Trout dapple the lake surface and deer and moose come down to drink at a shoreline dotted with sandy beaches. And the only marks of man are two well-concealed campgrounds and an emergency fireguard station.

No road or trail penetrates this wilderness locale, and the only approach is by the Thoroughfare River, a slowly meandering stream deep enough for out-

board motorboats and wide enough to permit one boat to pass another. The Thoroughfare connects Upper Priest Lake with Priest Lake proper. Thus Upper Priest remains in its natural state—a bit of God's handiwork unspoiled by man.

But, Mr. President, unless we can act, and act soon, commercial development will invade this idyllic setting. The west side of the lake is part of the Kaniksu National Forest, and the east side owned by the State of Idaho, with the exception of three separate and privately owned parcels. The owners of a 140-acre parcel have planned to subdivide it for cabin sites.

More than 4 years ago the Idaho wildlife federation set out to prevent this type of commercial development. Last year, when it appeared the development was a certainty, a national semiscientific organization, Nature Conservancy, came to the rescue with a loan to the owners to buy an extra year's time in which to save the lake. During this period the owners have agreed to negotiate with public agencies for the disposition of their land.

Last August I introduced a bill designed to add the threatened areas to the Kaniksu National Forest, where they would be protected and preserved for the use of the public. The Department of Agriculture subsequently issued a favorable report on the bill, and in October, at my request, field hearings were conducted at Priest Lake by the Senate Public Lands Subcommittee under the able chairmanship of the distinguished senior Senator from Nevada [Mr. BIBLE], and with my colleague [Mr. JORDAN], and the Congressman from Idaho's First District [Mr. WHITE], and myself attending. Nearly all of the witnesses were greatly in favor of saving Upper Priest. The printed field hearing report should soon be available, clearing the way for early action.

Therefore, Mr. President, I introduce for appropriate reference a bill authorizing the Secretary of Agriculture to purchase, at a fair market value, the 417 acres involved in the three parcels of land which I have mentioned, and to include them within the boundaries of the Kaniksu National Forest. This year, my colleague, Senator LEN JORDAN, joins with me as a cosponsor of the bill.

I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the text of the bill will be printed in the RECORD, as requested by the Senator from Idaho.

The bill (S. 435) to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes, introduced by Mr. CHURCH (for himself, and Mr. JORDAN of Idaho), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to promote protection and conservation of the outstanding scenic values and natural environ-

ment of Upper Priest Lake in Idaho and lands adjacent thereto for public use and enjoyment, the boundaries of the Kaniksu National Forest are hereby extended to include those of the lands hereinafter described which are not now within such boundaries. In order that they may be managed under the principles of multiple use and sustained yield, the Secretary of Agriculture is hereby authorized to acquire the following lands at their fair market value:

Township 63 north, range 4 west, Boise meridian:

section 18, southeast quarter southeast quarter;

section 19, northeast quarter northeast quarter, lot 3 (southeast quarter northeast quarter);

section 20, southwest quarter northwest quarter;

section 33, lot 1 (northeast quarter northwest quarter), lot 2 (southeast quarter northwest quarter), lot 3 (northeast quarter southeast quarter); lot 6 (southeast quarter southwest quarter), west half southwest quarter northeast quarter, west half northwest quarter southeast quarter, southwest quarter southeast quarter.

Township 63 north, range 5 west, Boise meridian:

section 24, northeast quarter northeast quarter, east half northwest quarter northeast quarter, northeast quarter northeast quarter southwest quarter northeast quarter, northwest quarter southeast quarter northeast quarter, lot 2 (northeast quarter southeast quarter northeast quarter), lot 3 (northeast quarter southeast quarter southeast quarter northeast quarter).

SEC. 2. There are hereby authorized to be appropriated such funds as are needed to carry out the purposes of this Act.

REMOVAL OF DISCRIMINATORY NATIONAL ORIGINS QUOTA SYSTEM FROM IMMIGRATION LAWS

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to remove the discriminatory national origins quota system from U.S. immigration laws.

Our present laws, based upon the national origins of our population in 1920, say in effect that persons from Italy, Greece, and Poland, for example, are less welcome than persons from other parts of Europe. They mock the immortal words inscribed on the Statue of Liberty, "Give me your tired, your poor," by adding the qualification "if they come from certain countries only and are not too tired and too poor."

I am unalterably opposed to this repugnant philosophy. There is no room in our free society for this degrading concept of subjecting human beings to the indignity of being judged on the basis of their place of birth or racial ancestry rather than on their merits and qualifications.

Indeed, it does not even conform to the intent of the Congress. Under present law, 156,700 quota immigrants may enter the United States each year. But because some countries are not using their full quotas, 60,000 numbers are wasted each year, while numerous Americans are waiting for their relatives to obtain permission to join them.

My legislation will eliminate once and for all this stain on our national ideals and honor. It conforms with a pledge I made to the people of Pennsylvania last fall, and I urge its early consideration.

Feb 25, 1965

Sen. McGovern inserted a speech by Sen. Mondale defending farm price supports and stating that without such supports farm prices and income would decline. pp. 3509-11

13. FORESTRY. The Public Lands Subcommittee of the Interior and Insular Affairs Committee reported to the full committee S. 435, to extend the boundaries of the Kaniksu National Forest, Idaho. p. D131
14. EGGS. Sen. Miller stated that egg producers "are presently going through the throes of an economic disaster in which the bottom has dropped out of their market," and urged resumption by this Department of a dried-egg purchasing program. pp. 3532-5
15. FARM LABOR. Sens. Kuchel, Murphy, Holland, and Hruska expressed concern over the availability of sufficient farm laborers since termination of the Mexican farm labor program. pp. 3540-9
16. AGRICULTURAL EXPORTS. Sen. Talmadge stated that the "protectionist attitude" being adopted by the nations of the European Common Market poses a serious threat to U. S. agricultural exports, and urged U. S. trade negotiators to "exert every effort to hold on to Common Market access for our agricultural products." pp. 3472-3
17. USER CHARGES; SOIL CONSERVATION. Sen. Thurmond inserted a S. C. Legislature resolution protesting the proposed user charge on SCS technical assistance to farmers and ranchers. pp. 3456-7
18. EXPORT CONTROL. Received from Commerce a quarterly report on export control. p. 3455
19. BUILDINGS. Received from GSA a report on the status of construction, alteration, or acquisition of public buildings. p. 3456
20. ECONOMIC REPORT. Unanimous consent was granted to permit the Joint Economic Committee to file a report on the President's economic report by Mar. 17, instead of Mar. 1. p. 3470
21. WHEAT. Sen. Morse was added as a cosponsor of S. 598, to give producers 100 percent of parity return from domestic food wheat. p. 3470
22. LEGISLATIVE PROGRAM. Sen. Mansfield reviewed legislative accomplishments and stated that the Interior and Insular Affairs Committee will probably report S. 435, to extend the boundaries of the Kaniksu National Forest, on Mar. 3. p. 3550
23. ADJOURNED until Mon., Mar. 1. p. 3550

ITEMS IN APPENDIX

24. FARM PROGRAM. Rep. Roosevelt inserted a summary of the latest pamphlet by the Conference on Economic Progress, "Agriculture and the Public Interest," which states that "To accord farmers and farm organizations a voice in the policies which affect them...farmers should be adequately represented on the Council of Agricultural Advisers to the President, of which the Secretary of Agriculture should be chairman." pp. A831-2

25. AWARDS; AGRICULTURE. Reps. Conyers and Friedel inserted the remarks of Secretary Freeman in accepting a plaque presented to this Department as a memorial to the late George Washington Carver. pp. A836-7, A849-50
26. WATER POLLUTION. Rep. Clancy inserted an item on accomplishments in water pollution control in the Ohio River Valley. pp. A845-6
27. TRANSPORTATION. Rep. Mize inserted the remarks of President James A. McCain, Kansas State University, at the meeting of the 10-State Grain and Grain Products Freight Rates Committee urging a reduction in shipping rates on flour by railroads in certain States in the mid-West. pp. A848-9
Extension of remarks of Rep. Dole inserting the statement of the manager of the Farmers Cooperative Commission Co. of Kansas, made before a conference to consider the transportation problems of the wheat producers. p. A828
28. OCEANOGRAPHIC RESEARCH. Extension of remarks of Rep. Keith commending a report, "Economic Benefits From Oceanographic Research" and inserting an editorial on this subject. pp. A826-7
29. SMOKING; HEALTH. Extension of remarks of Rep. Farbstein inserting a newspaper article, "Health Commissioner Says: Cigarette Smoking Caused 2,500 Deaths." p. A827
30. FUTURE FARMERS. Extension of remarks of Rep. Stalbaum inserting an article praising the FFA. p. A830

BILLS INTRODUCED

31. DISASTER RELIEF. H. R. 5477 by Rep. Clausen, to authorize a study of methods of helping to provide financial assistance to victims of future natural disasters; to Banking and Currency Committee.
H.R. 5478 by Rep. Clausen, to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters; to Public Works Committee.
H. R. 5507 by Rep. Clausen, to amend the Small Business Act to authorize additional funds to be available exclusively for disaster loans; to Banking and Currency Committee.
32. PUBLIC WORKS. H. R. 5480 by Rep. Edmondson, H.R. 5486 by Rep. Harris, H.R. 5492 by Rep. Mills and H.R. 5499 by Rep. Trimble, to provide for the use of public works and other economic programs in a coordinated effort to aid economically disadvantaged areas of the Nation; to Public Works Committee.
33. COMMISSION. H. R. 5489 by Rep. King, Utah, to establish a National Economic Conversion and Diversification Commission; to Interstate and Foreign Commerce Committee.
34. ARTS. H. R. 5490 by Rep. Lindsay, to establish a National Arts Foundation; to Education and Labor Committee.
35. RESEARCH. H. R. 5494 by Rep. Morton, to provide for continuity and support of study, research, and development of programs for peaceful uses in science, commerce, and other activities related to Antarctica, which shall include, but shall not be limited to, gathering, evaluating, correlating, and dispersing of

89TH CONGRESS
1ST SESSION

H. R. 5798

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 1965

Mr. WHITE of Idaho introduced the following bill; which was referred to the
Committee on Interior and Insular Affairs

A BILL

To extend the boundaries of the Kaniksu National Forest in
the State of Idaho, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, for the purpose of authorizing appropriations from the
4 land and water conservation fund established by section 2 of
5 the Land and Water Conservation Fund Act of 1965 for the
6 acquisition of lands adjacent to national forests as authorized
7 by section 6 of such Act, the Secretary of Agriculture is
8 authorized to acquire by exchange, purchase, or otherwise,
9 the real property described in section 3 of this Act. Upon
10 such acquisition the boundaries of the Kaniksu National
11 Forest are extended to include such real property.

1 SEC. 2. In the acquisition of the real property described
2 in section 3, the Secretary of Agriculture shall be guided by
3 the following policies:

4 (1) He should make every reasonable effort to
5 acquire the property by exchange or negotiated pur-
6 chase.

7 (2) The property should be appraised by the
8 Secretary of Agriculture before the initiation of negotia-
9 tions, and the owner or his designated representative
10 should be given an opportunity to accompany the
11 appraiser during his inspection of the property.

12 (3) Before the initiation of negotiations for the
13 property, the Secretary of Agriculture should establish
14 a price which he believes to be a fair and reasonable
15 consideration therefor and should make a prompt offer
16 to acquire the property for the full amount so established.
17 In no event should such price be less than the appraised
18 fair value of such property, as determined by the
19 Secretary.

20 SEC. 3. The real property authorized to be acquired
21 under authority of this Act is more particularly described
22 as follows:

23 Township 63 north, range 4 west, Boise meridian:

24 Section 18, southeast quarter southeast quarter; sec-
25 tion 19, northeast quarter northeast quarter, lot 3

(southeast quarter northeast quarter) ; section 20, southwest quarter northwest quarter; section 33, lot 1 (northeast quarter northwest quarter), lot 2 (southeast quarter northwest quarter), lot 3 (northeast quarter southeast quarter), lot 6 (southeast quarter southwest quarter), west half southwest quarter northeast quarter, west half northwest quarter southeast quarter, southwest quarter southeast quarter.

Township 63 north, range 5 west, Boise meridian:

Section 24, northeast quarter northeast quarter, east half northwest quarter northeast quarter, northeast quarter northeast quarter southwest quarter northeast quarter, northwest quarter southeast quarter northeast quarter, lot 2 (northeast quarter southeast quarter northeast quarter), lot 3 (northeast quarter southeast quarter southeast quarter northeast quarter).

A BILL

To extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

By Mr. WHITE of Idaho

MARCH 3, 1965

Referred to the Committee on Interior and Insular Affairs

Dickinson	Jones, Mo.	Randall
Dole	King, N.Y.	Reid, Ill.
Dowdy	Laird	Relfel
Dowling	Langen	Relnecke
Dwyer	Latta	Rhodes, Ariz.
Edwards, Ala.	Lennon	Roberts
Erlenborn	Lipscomb	Robison
Findley	Long, La.	Rogers, Fla.
Fisher	McClory	Rogers, Tex.
Ford, Gerald R.	McCulloch	Roudebush
Fountain	McEwen	Roush
Frelinghuysen	Macdonald	Rumsfeld
Fuqua	MacGregor	Satterfield
Gathings	Mahon	Selden
Gialmo	Maillard	Shriver
Grabowski	Marsh	Skubitz
Green, Oreg.	Martin, Ala.	Smith, Calif.
Gross	Martin, Mass.	Smith, Va.
Grover	Martin, Nebr.	Springer
Gubser	Matthews	Stafford
Gurney	May	Stanton
Haley	Michel	Talcott
Hall	Minshall	Teague, Calif.
Halleck	Mize	Teague, Tex.
Hansen, Idaho	Monagan	Thomson, Wis.
Hardy	Morse	Tuck
Harvey, Ind.	Morton	Utt
Harvey, Mich.	Mosher	Wagonner
Hébert	Nelsen	Walker, Miss.
Herlong	O'Neal, Ga.	Walker, N. Mex.
Horton	Passman	Whitten
Hosmer	Pelly	Williams
Hull	Pike	Wilson, Bob
Hutchinson	Pirnie	Wyatt
Ichord	Poage	Wydler
Irwin	Poff	Younger
Jarman	Pool	
Jonas	Quie	

NOT VOTING—11

Ellsworth	Keith	Smith, N.Y.
Griffin	Kunkel	Toll
Hamilton	McVicker	Widnall
Hanna	Roosevelt	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Toll for, with Mr. Ellsworth against.
Mr. Kunkel for, with Mr. Hamilton against.
Mr. Hanna for, with Mr. Griffin against.
Mr. Roosevelt for, with Mr. Keith against.
Mr. McVicker for, with Mr. Widnall against.

Mr. HAGAN of Georgia changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CORRECTION OF ROLL CALL

Mr. SCOTT. Mr. Speaker, when the roll was called on the motion to recommend I was in the room but did not hear my name. I ask unanimous consent that I might be recorded as voting "nay."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

ELECTION OF MEMBER TO THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. GERALD R. FORD. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

H. RES. 253

Resolved, That HOWARD H. CALLAWAY, of Georgia, be, and he is hereby, elected to the standing Committee of the House of Representatives on Interstate and Foreign Commerce.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE INTER-AMERICAN DEVELOPMENT CORPORATION

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the conferees on H.R. 45, the inter-American development bill, may have until midnight tonight to file a report, which is unanimous.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONFERENCE REPORT (H. REPT. NO. 137)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(c) With respect to any dollars herein provided, the voting power of the United States shall be exercised for the purpose of disapproving any loan from the Fund for Special Operations of the Bank for any project, enterprise, or activity in any country, during any period for which the President has suspended assistance to the government of such country because of any action taken on or after January 1, 1962, by the government of such country or any government agency or subdivision within such country as specified in paragraph (A), (B), or (C) of subsection (e) (1) of section 620 of the Foreign Assistance Act of 1961, as amended, and the failure of such country within a reasonable time to take appropriate steps to discharge its obligations or provide relief in accordance with the provisions of such subsection;" and the Senate agree to the same.

WRIGHT PATMAN,
ABRAHAM MULTER,
WILLIAM A. BARRETT,
LEONOR K. SULLIVAN,
HENRY S. REUSS,
THOMAS L. ASHLEY,
WILLIAM B. WIDNALL,
PAUL A. FINO,
SEYMOUR HALPERN.

Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
By J. W. F.

MIKE MANSFIELD,
By J. W. F.

BOURKE B. HICKENLOOPER,
GEORGE D. AIKEN,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 45) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, submit the following statement in explanation of the effect of the action agreed upon by the conferees and rec-

ommended in the accompanying conference report:

Amendment No. 1: This is a technical amendment, conforming punctuation to the addition of a new subsection in amendment number 2.

Amendment No. 2: This amendment added a new subsection (c) to the section 14 which the bill as passed by both Houses adds to the Inter-American Development Bank Act. The Senate amendment provided, "The voting power of the United States shall be exercised for the purpose of disapproving any loan from the Fund for Special Operations of the Bank for any project, enterprise, or activity in any country if the government of such country or any government agency or subdivision within such country, on or after January 1, 1962, has taken any action referred to in paragraph (A), (B), or (C) of subsection (e) (1) of section 620 of the Foreign Assistance Act of 1961, and has failed within a reasonable time to take appropriate steps to discharge its obligations or provide relief in accordance with the provisions of such subsection."

The actions referred to in paragraphs (A), (B), and (C) of section 620(e) (1) of the Foreign Assistance Act of 1961 are actions by any country which—

"(A) has nationalized or expropriated or seized ownership or control of property owned by any United States citizen or by any corporation, partnership, or association not less than 50 per centum beneficially owned by United States citizens, or

"(B) has taken steps to repudiate or nullify existing contracts or agreements with any United States citizen or any corporation, partnership, or association not less than 50 per centum beneficially owned by United States citizens, or

"(C) has imposed or enforced discriminatory taxes or other exactions, or restrictive maintenance or operational conditions, or has taken other actions, which have the effect of nationalizing, expropriating, or otherwise seizing ownership or control of property so owned."

As agreed to in conference, the amendment to the Senate amendment provides, "With respect to any dollars herein provided, the voting power of the United States shall be exercised for the purpose of disapproving any loan from the Fund for Special Operations of the Bank for any project, enterprise, or activity in any country, during any period for which the President has suspended assistance to the government of such country because of any action taken on or after January 1, 1962, by the government of such country or any government agency or subdivision within such country as specified in paragraph (A), (B), or (C) of subsection (e) (1) of section 620 of the Foreign Assistance Act of 1961, as amended, and the failure of such country within a reasonable time to take appropriate steps to discharge its obligations or provide relief in accordance with the provisions of such subsection."

Amendment No. 3: This amendment would have provided that the contribution of the United States under the new section 14 should be made upon condition that at least 33⅓ per centum of the aggregate amount of loans made from such contribution should be repayable in United States dollars. The Senate receded.

WRIGHT PATMAN,
ABRAHAM MULTER,
WILLIAM A. BARRETT,
LEONOR K. SULLIVAN,
HENRY S. REUSS,
THOMAS L. ASHLEY,
WILLIAM B. WIDNALL,
PAUL A. FINO,
SEYMOUR HALPERN.

Managers on the Part of the House.

CORRECTION OF VOTE

Mr. GONZALEZ. Mr. Speaker, on the vote on the motion to recommit I understand I was not shown as voting. I was present and voted "nay." I ask unanimous consent that the rollcall be corrected to show that I did vote "nay."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CORRECTION OF RECORD

Mr. MOELLER. Mr. Speaker, at page 3830 of the RECORD of March 2, in the second column, line 45, in a statement I made, the word "crime" should read "prime." I ask unanimous consent that the permanent RECORD be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill S. 3, just passed.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

COMMITTEE ON FOREIGN AFFAIRS

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that the House Committee on Foreign Affairs may have until midnight tonight to file a report on House Concurrent Resolution 285.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

UPPER PRIEST LAKE, IDAHO

(Mr. WHITE of Idaho asked and was given permission to address the House for 1 minute.)

Mr. WHITE of Idaho. Mr. Speaker, last month we heard the President's admirable plans for the beautification of America. Most of the work to be accomplished under the program for a beautiful America requires restoration and development of areas blighted by commercial and urban expansion. In our drive to return these places to as near their natural beauty as possible, I believe we should also implement the plans for preservation of spots which so far have not been marred by bulldozer tracks, and which have not yet been subject to speculative investment. Today I am introducing a bill to achieve this objective on Upper Priest Lake, which lies close to the Canadian border in the First Congressional District of Idaho.

It is difficult to speak objectively about beauty, particularly the beauty of one's home country. I recognize the esthetic principle, "De gustibus non disputandum," but I believe there would be no dispute about the unmatched scenic beauty of Upper Priest Lake. The lake

is surrounded on three sides by mountains and is accessible on the fourth by an easy water route. Joined to the larger lower lake by a clear, meandering stream called the thoroughfare, Upper Priest Lake is 4 miles long and three-fourths of a mile wide. The crystallike water is filled with game trout and salmon. Luxuriant forests bounding the tranquil lake support deer, bears, moose, and mountain goats, and other abundant forms of wildlife.

All property surrounding Upper Priest Lake is Government owned except the tracts described in my bill. The purpose of the bill is to permit the acquisition of the remaining private ownerships, so that all the land surrounding the peaceful and beautiful upper lake can be held in its primitive state for future generations. The acreage is small, 417 acres, but their importance is great, because commercial development threatens to change the natural setting of Upper Priest.

A bill similar to the one I am introducing is progressing through the Senate, under the able sponsorship of Senator FRANK CHURCH. Hearings were held at Priest Lake last fall and here in Washington this spring. Such unanimity of support for the legislation was evident at the hearings that the Senate Subcommittee on Public Lands favorably reported it immediately. The full committee reported it this morning.

During the hearings on S. 3067 of the 88th Congress and S. 435 of this Congress, it was suggested that the acquisition of the 417 acres be effected through the Land and Water Conservation Fund Act. For this reason I have provided in the bill I offer to the House that section 6 of that act be implemented for the addition of the lands to the Kaniksu National Forest. Through utilization of these funds, I believe the budgeting consideration will be minimal.

Another slight difference in the bill I sponsor and S. 435 is an explicit direction that the lands be acquired as amicably as possible. Several witnesses at the field hearings indicated their opposition to the employment of the power of eminent domain in adding the 417 acres to Federal ownership. I sympathize with their reservations about extending the governmental power of condemnation for the purpose of obtaining scenery. For this reason, my proposal suggests that the lands desired be exchanged for other Federal lands. In this way the county will not lose tax revenues and the acquisition could proceed with the speed necessary for preserving the beauty of Upper Priest Lake. If exchange, after every honest effort is made, proves impossible I have allowed for purchase of the lands by a negotiated contract. If this alternative is necessary the bill contains guidelines for the negotiation; such as the opportunity for the seller to accompany the purchaser during the appraisal of the property and the establishment of a fair value for the property prior to negotiation.

In view of the safeguards provided in the House bill, I heartily urge the Members of this body to lend their support to the preservation of the rare American beauty of Upper Priest Lake.

A TRIBUTE TO FLORIDA ON THE OCCASION OF THE 120TH ANNIVERSARY OF HER ADMISSION TO THE UNION

(Mr. SIKES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SIKES. Mr. Speaker, the State of Florida, on this day, observes the 120th anniversary of her admission to the Union—and everyone familiar with the State, her history, her people, and her grand traditions, glories in a feeling of accomplishment. For in this period, this brief span of time, from 1845 until now, the name of Florida has come to stand for many things great, varied, and fascinating in the hearts and minds of many millions of Americans.

When Florida became a territory of the United States, her development was confined very largely to the coastal cities of northeast and northwest Florida. In the territorial period from 1822 to 1845, Florida grew from a backwoods swamp-land, rife with the dangers of Indian attack, to a rapidly developing, up-and-coming civilized section, in which much of the area from St. Augustine to Pensacola was transformed into plantations and small farms.

The Seminole War brought an end to Indian problems, after which thousands of American settlers began pouring in. In short time it was clear that the Government's main problems were to open up new lands and to develop transportation systems. Even from the start, heavy immigration from the North made Florida exceptional in this regard, among the several States of the extreme Southeast.

In 1850, shortly after her admittance to the Union, Florida ranked 31 out of 31 States in population with a total figure of 87,445. Compare this with her ranking of today, ninth of 50 States, with a population of 5,705,000.

As time has passed the sovereign State of Florida has continued to flourish and attract the multitude. Its friendly people, thriving commerce, gentle climate, and beauteous surroundings amount to something in the nature of a magnetic force—or so it would seem.

Florida's farm acreage has increased a neat 10 times over the figures from the 1850 census, and the value of livestock is hundreds of times greater. In the area of manufacturing, Florida had less than 1,000 people employed in manufacturing in 1850. Today close to a quarter million people are now classified in this field. When Florida was admitted to the Union, she had 1 representative of the 234 in the House of Representatives. Now, with 12, Florida ranks as ninth in representation. I also point with a great deal of pride to the role that Florida has and is continuing to play in the field of development, maintenance, and operation of our military defenses and in the space effort. It is in my State where so very much work, which is vitally important to our national security, is being conducted.

The modern development of Florida is characterized by a blending of the people from all the corners of the Union: the native southerner, and his new neighbors,

EXTENDING THE BOUNDARIES OF THE KANIKSU NATIONAL FOREST IN THE STATE OF IDAHO, AND FOR OTHER PURPOSES

MARCH 3, 1965.—Ordered to be printed under the authority of March 1, 1965

Mr. CHURCH, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany S. 435]

The Committee on Interior and Insular Affairs, to whom was referred the bill (S. 435) to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes, having considered the same, report favorably thereon with amendment and recommend that the bill, as amended, do pass.

AMENDMENT

On page 2, line 23, strike the balance of the section and insert "not to exceed \$500,000.00 to carry out the purposes of this Act."

Following its customary practice, the committee has substituted an appropriation limitation in place of an open-end provision.

NEED

This bill, sponsored by Senator Church and Senator Jordan of Idaho, relates to 417 acres of privately owned lands which abut on the shores of Upper Priest Lake in Bonner County, Idaho. The 417 acres are included in three separate parcels which are held in five ownerships. Two parcels are outside of but adjoin the Kaniksu National Forest; one of 84 acres is just within. All of the shoreline of Upper Priest Lake is owned by either the United States or the State of Idaho except the parcels described in S. 435.

Upper Priest Lake is a highly attractive mountain lake approximately 3½ miles long and a mile wide. At the present time, its shorelines and environs are in a natural condition, undeveloped with roads or habitations. Access is by boat from Lower Priest Lake via the

Thorofare River and present uses are temporary in character—boating, fishing, picnicking, camping, and general enjoyment of the beautiful scenery and the unmodified environment.

However, owners of some of the private lands have made plans to subdivide their properties and sell lakefront lots for summer home purposes. Such action would result in destruction of the near natural environment and the undeveloped character of Upper Priest Lake and very likely would eventually result in roads being built to the developed properties. Such plans are temporarily in abeyance pending action on proposals for acquisition by public agencies of the privately owned lands.

S. 435 would include within the Kaniksu National Forest the 333 acres, as described in the bill, that are not now within the exterior boundaries of that national forest. The bill also would authorize the Secretary of Agriculture to acquire the 417 acres at their fair market value.

The committee believes that continuance of the shorelines of Upper Priest Lake in a natural condition, free of habitations, businesses or industrial facilities, and the maintenance of a near-natural environment at and around the lake is in the public interest. In its present condition, Upper Priest Lake has very substantial public recreation values of the kind that can best be realized and enjoyed in the undeveloped, primeval setting it now offers.

In the current circumstances, public acquisition appears to be the only practical way of assuring that the private properties will not be commercially developed. The Forest Service plans to negotiate with the owners for the properties. The tracts clearly qualify for acquisition with moneys to be appropriated from the land and water conservation fund. Enactment of S. 435 would provide congressional concurrence in the inclusion of these tracts in the national forest and their acquisition by the Department of Agriculture, and would support a high priority for use of land and water conservation funds to purchase them.

These tracts are forest lands of the same kind as nearby national forest lands and have good potentialities for multiple-use management. As part of the Kaniksu National Forest, they would be so managed in conjunction with nearby lands. Recreational use would be oriented to boating, fishing, camping, and hunting in a near-natural environment.

Both the Department of Agriculture and the Bureau of the Budget favor enactment of this bill.

DEPARTMENT REPORTS

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 24, 1965.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate.

DEAR MR. CHAIRMAN: This is in response to your request of January 21, 1965, for a report on S. 435, a bill to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

We recommend that S. 435 be enacted.

■ This bill would include within the Kaniksu National Forest certain described lands to the extent that these are not now within the national forest boundaries. It also would authorize the Secretary of Agriculture to acquire the described lands at fair market value.

The particular tracts set out in S. 435 comprise three separate parcels with a combined area of approximately 417 acres. All of these parcels are located on the shorelines of Upper Priest Lake, a natural body of water in Bonner County, Idaho. One parcel of about 84 acres is within the national forest; the other two parcels are outside of, but adjoin, the national forest boundary.

Upper Priest Lake is a beautiful mountain lake approximately $3\frac{1}{2}$ miles long and a mile wide. At present it is undeveloped by roads or dwellings. The lake and adjoining shorelands therefore offer a nearly natural environment. Upper Priest Lake lies some 3 miles northwesterly of lower Priest Lake and is connected to it by the Thorofare River which is traversable by small pleasure boats. Hence, Upper Priest Lake is accessible by small boats from the developed and road-accessible Lower Priest Lake. While all of Upper Priest Lake is within the national forest, lands adjoining the east side beyond the Lake itself are owned by the State of Idaho and three private owners who possess the two parcels above noted. The west side of the lake is national forest land except for the third parcel of private lands discussed above. Lands adjacent to the lake thus are publicly controlled except for the three parcels described in S. 435.

We believe it is highly desirable that Upper Priest Lake and its immediate environs be kept free of habitations and commercial developments. This lake has very substantial public recreation values of the kind that can be best realized and enjoyed in the undeveloped setting which it now offers. Owners of some of the privately owned lands on the east side of the lake, just outside the national forest, have made tentative preparations to subdivide their properties into lake front lots and sell these for private recreation homesites. The probabilities are that if this were done the remaining private lands would also be so utilized and that roads into the area would soon follow.

The described lands are forest lands characteristic of the Kaniksu National Forest and have material potentialities for multiple-use management. As part of the national forest they would be managed in conjunction with the adjacent lands in the area with recreational use oriented to boating, fishing, camping, and hunting in a near-natural environment.

In the present circumstances, acquisition of the three parcels for national forest purposes, therefore, would be highly desirable as a conservation measure and practical from the standpoint of future management in correlation with nearby national forest properties on the same lake. The tracts are within the class of lands which may be acquired with appropriations from the land and water conservation fund. Enactment of S. 435 would indicate congressional concurrence in the acquisition of these tracts and their incorporation in the national forest, and support a high priority for their purchase in the total land and water conservation fund program.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., February 24, 1965.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Bureau of the Budget on S. 435, a bill to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

S. 435 would extend the boundaries of the Kaniksu National Forest to include those lands necessary for the protection and conservation of the scenic values and natural environment of Upper Priest Lake in the State of Idaho. It provides that the Secretary of Agriculture may acquire these lands at fair market value, and that these lands may be managed under the principles of multiple use and sustained yield. The acquisition of these lands would protect public values associated with the shoreline of Upper Priest Lake.

There would be no objection from the standpoint of the administration's program to enactment of this bill.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.



89TH CONGRESS
1ST SESSION

S. 435

[Report No. 70]

IN THE SENATE OF THE UNITED STATES

JANUARY 12, 1965

Mr. CHURCH (for himself and Mr. JORDAN of Idaho) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

MARCH 3, 1965

Reported, under authority of the order of the Senate of March 1, 1965, by Mr. CHURCH, with an amendment

[Omit the part struck through and insert the part printed in italic]

A BILL

To extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, to promote protection and conservation of the outstand-
4 ing scenic values and natural environment of Upper Priest
5 Lake in Idaho and lands adjacent thereto for public use
6 and enjoyment, the boundaries of the Kaniksu National
7 Forest are hereby extended to include those of the lands
8 hereinafter described which are not now within such bound-
9 aries. In order that they may be managed under the prin-
10 ciples of multiple use and sustained yield, the Secretary of

1 Agriculture is hereby authorized to acquire the following
 2 lands at their fair market value:

3 Township 63 north, range 4 west, Boise meridian:

4 section 18, southeast quarter southeast quarter;

5 section 19, northeast quarter northeast quarter, lot 3

6 (southeast quarter northeast quarter) ;

7 section 20, southwest quarter northwest quarter;

8 section 33, lot 1 (northeast quarter northwest quar-

9 ter) , lot 2 (southeast quarter northwest quarter) , lot 3
 10 (northeast quarter southeast quarter) , lot 6 (southeast

11 quarter southwest quarter) , west half southwest quarter

12 northeast quarter, west half northwest quarter southeast

13 quarter, southwest quarter southeast quarter.

14 Township 63 north, range 5 west, Boise meridian:

15 section 24, northeast quarter northeast quarter, east

16 half northwest quarter northeast quarter, northeast quar-

17 ter northeast quarter southwest quarter northeast quar-

18 ter, northwest quarter southeast quarter northeast

19 quarter, lot 2 (northeast quarter southeast quarter north-

20 east quarter) , lot 3 (northeast quarter southeast quarter

21 southeast quarter northeast quarter) .

22 SEC. 2. There are hereby authorized to be appropriated

23 such funds as are needed to carry out the purposes of this

24 ~~Act.~~ not to exceed \$500,000 to carry out the purposes of this

25 *Act.*

A BILL

To extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

By Mr. CHURCH and Mr. JORDAN of Idaho

JANUARY 12, 1965

Read twice and referred to the Committee on Interior
and Insular Affairs

MARCH 3, 1965

Reported with an amendment



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, FIRST SESSION

Vol. 111

WASHINGTON, THURSDAY, MARCH 4, 1965

No. 41

Senate

The Senate met at 11:30 o'clock a.m., and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of all mercy, whose goodness and loving kindness faileth never: With all our pressing needs, the one towering above all others is our need of Thee—for, having Thee, we have all. Without Thee, we are forsaken orphans in a heartless universe of blind force. With Thee, with whom 1,000 years are but as 1 day, may we live in the light of the yesterdays into whose labors we have entered. May the past warn us by its errors, inform us by its achievements, and inspire us by its sacrifices.

In our stewardship of today, we are thankful for the friends whose trust calls out the hidden best that is in us, for little children who keep us close to Thy kingdom of humility and simplicity, and for work to do that keeps faith pure and strong.

And now as we seize this day with all it may hold, in Thee may we find bread for our hunger, light for our darkness, strength for our tasks, and love that never faileth, purging all self-seeking which spoils life's music.

In the dear Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, March 1, 1965, was dispensed with.

MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of March 1, 1965,

The Secretary of the Senate reported that on March 2, 1965, he received a message from the President of the United States, which informed the Senate that the President had approved and signed the joint resolution (H.J. Res. 234) making supplemental appropriations for the fiscal year ending June 30, 1965, for certain activities of the Department of Agriculture, and for other purposes.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of March 1, 1965,

The Secretary of the Senate reported that on March 4, 1965, he received a message from the House of Representatives, which announced that the House had passed, without amendment, the bill (S. 3) to provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of March 1, 1965, the following reports of committees were received during the adjournment of the Senate:

On March 2, 1965, Mr. McCLELLAN, from the Committee on Government Operations, submitted a report (No. 69) entitled "Activities of the Senate Committee on Government Operations"; which was ordered to be printed.

On March 3, 1965, Mr. CHURCH, from the Committee on Interior and Insular Affairs, reported favorably, with an amendment, the bill (S. 435) to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes, and submitted a report (No. 70) thereon; which report was printed, and the bill placed on the calendar.

CITIES—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 99)

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States on cities, which was received by the Secretary of the Senate on March 2, while the Senate was in adjournment, pursuant to an order adopted by the Senate on March 1. Since the message has been read in the House, without objection it will be printed in the Record without being read, and appropriately referred.

The message was referred to the Committee on Banking and Currency, as follows:

To the Congress of the United States:

Throughout man's history, the city¹ has been at the center of civilization. It is at the center of our own society.

Over 70 percent of our population—135 million Americans—live in urban areas. A half century from now 320 million of our 400 million Americans will live in such areas. And our largest cities will receive the greatest impact of growth.

Numbers alone do not make this an urban nation. Finance and culture, commerce and government make their home in the city and draw their vitality from it. Within the borders of our urban centers can be found the most impressive achievements of man's skill and the highest expressions of man's spirit, as well as the worst examples of degradation and cruelty and misery to be found in modern America.

The city is not an assembly of shops and buildings. It is not a collection of goods and services. It is a community for the enrichment of the life of man. It is a place for the satisfaction of man's most urgent needs and his highest aspirations. It is an instrument for the advance of civilization. Our task is to put the highest concerns of our people at the center of urban growth and activity. It is to create and preserve the sense of community with others which gives us significance and security, a sense of belonging and of sharing in the common life.

Aristotle said: "Men come together in cities in order to live. They remain together in order to live the good life."

The modern city can be the most ruthless enemy of the good life, or it can be its servant. The choice is up to this generation of Americans. For this is truly the time of decision for the American city.

In our time, two giant and dangerous forces are converging on our cities: the forces of growth and of decay.

Between today and the year 2000, more than 80 percent of our population increase will occur in urban areas. During the next 15 years, 30 million people will be added to our cities—equivalent to the combined population of New York,

¹ In this message the word "city" is used to mean the entire urban area—the central city and its suburbs.

Chicago, Los Angeles, Philadelphia, Detroit, and Baltimore. Each year, in the coming generation, we will add the equivalent of 15 cities of 200,000 each.

Already old cities are tending to combine into huge clusters. The strip of land from southern New Hampshire to northern Virginia contains 21 percent of America's population in 1.8 percent of its areas. Along the west coast, the Great Lakes, and the Gulf of Mexico, other urban giants are merging and growing.

Our new city dwellers will need homes and schools and public services. By 1975 we will need over 2 million new homes a year. We will need schools for 10 million additional children, welfare and health facilities for 5 million more people over the age of 60, transportation facilities for the daily movement of 200 million people and more than 80 million automobiles.

In the remainder of this century—in less than 40 years—urban population will double, city land will double, and we will have to build in our cities as much as all that we have built since the first colonist arrived on these shores. It is as if we had 40 years to rebuild the entire urban United States.

Yet these new overwhelming pressures are being visited upon cities already in distress. We have over 9 million homes, most of them in cities, which are run down or deteriorating; over 4 million do not have running water or even plumbing. Many of our central cities are in need of major surgery to overcome decay. New suburban sprawl reaches out into the countryside, as the process of urbanization consumes a million acres a year. The old, the poor, the discriminated against are increasingly concentrated in central city ghettos; while others move to the suburbs leaving the central city to battle against immense odds.

Physical decay, from obsolescent schools to polluted water and air, helps breed social decay. It casts a pall of ugliness and despair on the spirits of the people. And this is reflected in rising crime rates, school dropouts, delinquency and social disorganization.

Our cities are making a valiant effort to combat the mounting dangers to the good life. Between 1954 and 1963 per capita municipal tax revenues increased by 43 percent, and local government indebtedness increased by 119 percent. City officials with inadequate resources, limited authority, too few trained people, and often with too little public support, have, in many cases, waged a heroic battle to improve the life of the people they serve.

But we must do far more as a nation if we are to deal effectively with one of the most critical domestic problems of the United States.

Let us be clear about the core of this problem. The problem is people and the quality of the lives they lead. We want to build not just housing units, but neighborhoods; not just to construct schools, but to educate children; not just to raise income but to create beauty and end the poisoning of our environment. We must extend the range of choices available to all our people so that all, and not just the fortunate, can have ac-

cess to decent homes and schools, to recreation and to culture. We must work to overcome the forces which divide our people and erode the vitality which comes from the partnership of those with diverse incomes and interests and backgrounds.

The problems of the city are problems of housing and education. They involve increasing employment and ending poverty. They call for beauty and nature, recreation and an end to racial discrimination. They are, in large measure, the problems of American society itself. They call for a generosity of vision, a breadth of approach, a magnitude of effort which we have not yet brought to bear on the American city.

Whatever the scale of its programs, the Federal Government will only be able to do a small part of what is required. The vast bulk of resources and energy, of talent and toil, will have to come from State and local governments, private interests, and individual citizens. But the Federal Government does have a responsibility. It must help to meet the most urgent national needs; in housing, in education, in health, and many other areas. It must also be sure that its efforts serve as a catalyst and as a lever to help and guide State and local governments toward meeting their problems.

We must also recognize that this message, and the program it proposes, does not fully meet the problems of the city. In part, this is because many other programs, such as those for education and health, are dealt with separately. But it is also because we do not have all the answers. In the last few years there has been an enormous growth of interest and knowledge and intellectual ferment. We need more thought and wisdom and knowledge as we painfully struggle to identify the ills, the dangers, and the cures for the American city. We need to reshape, at every level of government, our approach to problems which are often different than we thought and larger than we had imagined.

I want to begin that process today.

We begin with the awareness that the city, possessed of its own inexorable vitality, has ignored the classic jurisdictions of municipalities, and counties, and States. That organic unit we call the city spreads across the countryside, enveloping towns, building vast new suburbs, destroying trees and streams. Access to suburbs has changed the character of the central city. The jobs and income of suburbanites may depend upon the opportunities for work and learning offered by the central city. Polluted air and water do not respect the jurisdictions of mayors and city councils, or even of Governors. Wealthy suburbs often form an enclave whereby the well-to-do and the talented can escape from the problems of their neighbors, thus impoverishing the ability of the city to deal with its problems.

The interests and needs of many of the communities which make up the modern city often seem to be in conflict. But they all have an overriding interest in improving the quality of life of their people. And they have an overriding

interest in enriching the quality of American civilization. These interests will only be served by looking at the metropolitan area as a whole, and planning and working for its development.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

To give greater force and effectiveness to our effort in the cities I ask the Congress to establish a Department of Housing and Urban Development.

Our urban problems are of a scope and magnitude that demand representation at the highest level of government. The Housing and Home Finance Agency was created two decades ago. It has taken on many new programs. Others are proposed in this message. Much of our hopes for American progress will depend on the effectiveness with which these programs are carried forward. These problems are already in the front rank of national concern and interest. They deserve to be in the front rank of government as well.

The new Department will consist of all the present programs of HHFA. In addition, it will be primarily responsible for Federal participation in metropolitan area thinking and planning. This new Department will provide a focal point for thought and innovation and imagination about the problems of our cities. It will cooperate with other Federal agencies, including those responsible for programs providing essential education, health, employment, and social services. And it will work to strengthen the constructive relationships between Nation, State, and city—the creative federalism—which is essential to progress. This partnership will demand the leadership of mayors, Governors, and State legislatures.

INCENTIVES TO METROPOLITAN AREA COOPERATION

The Federal Government cannot, and should not, require the communities which make up a metropolitan area to cooperate against their will in the solution of their problems. But we can offer incentives to metropolitan area planning and cooperation. We can help those who want to make the effort but lack the trained personnel and other necessary resources. And the new Department should have regional representatives in our metropolitan areas to assist, where assistance is requested, in the development of metropolitan area plans.

We already have Federal programs in which assistance depends upon the completion of soundly conceived metropolitan area plans, such as the mass transportation program passed by the 88th Congress. This program strikes at the heart of one of our most critical and urgent needs—a transportation system which can relieve congestion and make it possible for people to travel with comparative ease to places of work, learning, and pleasure.

I am proposing other programs which will also require sound, long-range development programs as a condition of Federal assistance. Wherever it can be done without leaving vital needs unmet, existing programs will also be keyed to planning requirements.

Digest of CONGRESSIONAL PROCEEDINGS

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

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U. S. Department of Agriculture

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HIGHLIGHTS: Sen. Williams, Del., charged USDA trying to "cover up" scandal in rice-cotton acreage allotments program. Sen. Pearson criticized proposed user charge on SCS technical assistance. Sen. Young, N. Dak., inserted article by Sen. Pearson on problems of sugar program. Sen. Sparkman and Rep. Patman introduced and discussed administration's housing bill.

SENATE

1. FORESTRY. Passed as reported S. 435, to extend the boundaries of the Kaniksu National Forest, Idaho, so as to authorize the acquisition of 417 acres of privately owned land (pp. 4035-8). This bill was reported with amendment by the Interior and Insular Affairs Committee on Mar. 3 (S. Rept. 70)(p. 3967).

Sen. Byrd, W. Va., reviewed and commended the work of the Forest Service on its 60th anniversary. pp. 4053-4

2. HOUSING. Received the President's message on housing and urban development (H. Doc. 99)(pp. 3967-71). See Digest 39 for items of interest. Sens. Dodd, Douglas, Brewster, and Hart commended the message (pp. 4016, 4055-9, 4071-2; 4082).
3. COTTON; RICE. Sen. Williams, Del., charged that "it appears that the Department of Agriculture is trying to cover up a major scandal wherein there has been large scale overplanting in the acreage allotment of rice and cotton in the Arkansas area," stated that the Department has "allowed the cotton storage program to be abused," and inserted letters from Lester P. Condon, Inspector General, on investigations of the allegations. pp. 4012-4
4. CONGRESSIONAL ORGANIZATION. The Rules and Administration Committee reported without amendment S. Con. Res. 2, to establish a Joint Committee on the Organization of Congress, composed of six members of the House and six members of the Senate, to make a study and recommend improvements in the organization and operation of the Congress (S. Rept. 71). p. 3979
5. SOIL CONSERVATION; USER CHARGES. Sen. Pearson criticized the proposed user charge on SCS technical assistance to farmers and ranchers, and stated that it did not appear that local soil conservation districts would be able to raise the amount of money for such charges which would be needed to keep the conservation program at its present level. pp. 4065-7.
6. RESEARCH. Sen. Young, N. Dak., commended the new USDA Metabolism and Radiation Research Laboratory in Fargo, N. Dak., and inserted an article commending the work of the laboratory. pp. 4067-8
7. ELECTRIFICATION. Sen. Metcalf inserted a number of resolutions adopted by the Mid-West Electric Consumers Assoc., Inc., relating to electrification and public power, including one objecting "to any increase in the present 2-percent interest rate on rural electrification and telephone loans." pp. 4076-9
8. SUGAR. Sen. Young, N. Dak., inserted an article by Sen. Pearson outlining "problems our present sugar policies are creating for farmers." pp. 4060-1 .
Sen. Jordan, Ida., inserted an Idaho Legislature resolution urging enactment of legislation to increase the basic sugarbeet quota for 1955. p. 3978
9. TOBACCO. Sen. Thurmond inserted a S. C. Legislature resolution urging enactment of legislation "removing any authority reposed in the Federal Trade Commission to regulate cigarette labeling and advertising." p. 3978
10. WATER RESOURCES. Sen. Ellender criticized certain provisions of S. 21, the water resources planning bill, recently passed by the Senate. pp. 4094-5
11. PERSONNEL. Sen. Proxmire commended recent appointments by the President to top positions in the Government and inserted a commendatory article on the appointments. pp. 4091-2
12. TRANSPORTATION. Received from the Interstate Commerce Commission proposed bills to amend Sec. 22 of the Interstate Commerce Act, and to provide civil liability for violations of such act by common carriers by motor vehicle and freight forwarders; to Commerce Committee. p. 3976

tion would remove the dollar limit on the authorization for appropriation of funds for grants for Federal-State training programs and would authorize such additional funds to be appropriated as may be necessary to carry out the programs. Additional funds would, of course, be made available only through appropriations.

Under part I of title VIII of the Housing Act of 1964, the Housing Administrator is authorized to make matching grants to States to assist them in developing special training programs for technical and professional people who are, or are likely to be, employed by a governmental or public body which has responsibilities for community development. These matching grants may also be used to support State and local research on housing, public improvement programs, code problems, efficient land use, urban transportation, and similar community development problems.

It is estimated that \$10 million in matching grants will be made under this program in fiscal year 1966. The Housing Act of 1964 authorized the appropriation of \$10 million for such grants. Of this \$10 million authorization, \$5 million will be requested by the Housing Agency as a supplemental appropriation for fiscal year 1965, and \$5 million will remain available for appropriation. To fund an estimated program level of \$10 million for fiscal year 1966, appropriation of \$5 million, in addition to the \$5 million in unused authorization, will be required.

Section 1003. Increase in authorization for public works planning advances:

This section would remove the existing dollar limitation on the amount that may be appropriated for the public works planning fund and authorize such additional funds to be appropriated to the fund as may be necessary to carry out the planning advance program. Additional funds would still, of course, be made available only through appropriations.

It is estimated that \$25 million in planning advances will be made in fiscal year 1966. The Housing Act of 1964 authorized the appropriation of \$20 million to the public works planning fund (in addition to amounts previously authorized and which had been appropriated). Of this \$20 million in new authorizations provided by the Housing Act of 1964, \$10 million has been appropriated and \$10 million remains available for appropriation.

Repayments to the funds, during fiscal year 1966 (which are available to make planning advances) are estimated at \$10 million. To fund the estimated program level of \$25 million for fiscal year 1966, appropriation of \$5 million, in addition to the \$10 million in existing authorization and the estimated \$10 million in repayments, will be required.

Under section 702 of the Housing Act of 1954, the Housing Administrator is authorized to advance interest-free funds to States, municipalities, and other public agencies to help finance the cost of planning various public works and facilities. These advances become repayable in whole or in part when construction of the public work planned is started.

Through the end of December 1964, a total of 3,817 applications for approximately \$92 million have been approved under the program. The estimated cost of the projects aided by these public works planning advances totals \$5.56 billion. As of the same date, 3,360 plans involving Federal advances of \$84 million have been completed and 1,186 advances for \$31 million have been repaid.

Section 1004. Advisory committees—technical provision: This section would delete an obsolete provision from section 601 of the Housing Act of 1949. The provision deleted exempts a member of an advisory committee appointed by the Housing and Home Finance Administrator or the heads of any

of the constituents of the Housing Agency from certain cited conflict-of-interest laws. This provision was made obsolete and no longer necessary by section 2 of Public Law 87-849. That law enacted new provisions which accomplish the same purpose.

Section 1005. Public facility loans to non-profit corporations: This section would permit the Administrator to make loans under the public facility loans program to private nonprofit corporations to finance the construction of works for the storage, treatment, purification, or distribution of water; sewage, sewage treatment, and sewer facilities to serve small communities (with a population of less than 10,000) if he determines no existing public body is able to construct and operate such facilities.

Section 1006. FHA conforming amendments: This section would amend various sections of the National Housing Act to make their provisions conform to the provisions in title II of this bill with respect to the consolidation of FHA insurance funds.

Section 1007. Repeal of special provision in Urban Mass Transportation Act: This section would repeal a provision in the Urban Mass Transportation Act of 1964, which requires that contractors, in providing facilities or equipment which have received loan or grant assistance under the act, "shall use only such manufactured articles as have been manufactured in the United States." There is no other Federal matching grant program which contains such a requirement. The President, in approving the Urban Mass Transportation Act, expressed hope that the provision would be repealed and said that it is incompatible with the trade policy this Nation is pursuing under the Trade Expansion Act.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, there will be other morning hour business which can be conducted after 1 o'clock. But it has been agreed on both sides of the aisle that the Senate would recess at 12 o'clock until 1 o'clock in order that Senators who desire to attend the reenactment of the second inaugural address of Abraham Lincoln may attend that ceremony, which will commence immediately. Senators desiring to attend the ceremony should leave by the door on the east side, where a representative of the Sergeant at Arms will conduct them to seats reserved for them. When the Senate returns I hope that Senators will understand that we shall then seek to offer them the opportunity to conduct further morning hour business if they so desire.

RECESS

Mr. LONG of Louisiana. Mr. President, I move that the Senate stand in recess until 1 p.m.

The motion was agreed to; and (at 12 o'clock and 1 minute p.m.) the Senate took a recess until 1 p.m.

At 1 o'clock p.m., the Senate reassembled when called to order by the Presiding Officer (Mr. WILLIAMS of New Jersey, in the chair).

EXTENSION OF THE BOUNDARIES OF THE KANIKSU NATIONAL FOREST IN THE STATE OF IDAHO

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar

No. 99, Senate bill 435, and that the bill be laid down and made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 435) to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

The PRESIDING OFFICER. Is there any objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported by the Committee on Interior and Insular Affairs with an amendment on page 2, at the beginning of line 23, to strike out "such funds as are needed to carry out the purposes of this act," and insert "not to exceed \$500,000 to carry out the purposes of this act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to promote protection and conservation of the outstanding scenic values and natural environment of Upper Priest Lake in Idaho and lands adjacent thereto for public use and enjoyment, the boundaries of the Kaniksu National Forest are hereby extended to include those of the lands hereinafter described which are not now within such boundaries. In order that they may be managed under the principles of multiple use and sustained yield, the Secretary of Agriculture is hereby authorized to acquire the following lands at their fair market value:

Township 63 north, range 4 west, Boise meridian:

section 18, southeast quarter southeast quarter;

section 19, northeast quarter northeast quarter, lot 3 (southeast quarter northeast quarter);

section 20, southwest quarter northwest quarter;

section 33, lot 1 (northeast quarter northwest quarter), lot 2 (southeast quarter northwest quarter), lot 3 (northeast quarter southeast quarter), lot 6 (southeast quarter southwest quarter), west half southwest quarter northeast quarter, west half northwest quarter southeast quarter, southwest quarter southeast quarter.

Township 63 north, range 5 west, Boise meridian:

section 24, northeast quarter northeast quarter, east half northwest quarter northeast quarter, northeast quarter northeast quarter southwest quarter northeast quarter, northwest quarter southeast quarter northeast quarter, lot 2 (northeast quarter southeast quarter northeast quarter), lot 3 (northeast quarter southeast quarter southeast quarter northeast quarter).

SEC. 2. There are hereby authorized to be appropriated not to exceed \$500,000 to carry out the purposes of this Act.

Mr. CHURCH. Mr. President, S. 435 is a bill to preserve, in its natural environment, Upper Priest Lake in Idaho by extending the boundaries of the Kaniksu National Forest.

It authorizes the Secretary of Agriculture to acquire 417 acres of privately owned land on the lakeshore—now threatened with commercial development—and include them in the Kaniksu National Forest.

Mr. President, this is one of the most beautiful small lakes in the Nation. It is a gemlike body of water less than 4 miles long and three-fourths of a mile wide in northern Idaho not far from the

Canadian border. It is encircled by evergreen forests and rugged mountains. And its beauty is unmarred by any type of commercial development. It is true wilderness, and no road or trail penetrates to the lake. It is only approachable by the Thoroughfare River, a meandering stream which connects it to Priest Lake proper.

The west side of the lake is part of the Kaniksu National Forest, and the east side is owned by the State of Idaho, with the exception of three separate and privately owned parcels.

Enactment of this legislation is urgent, because the owners of a 140-acre parcel have planned to subdivide it for cabin sites. It has been only through the intervention of a national semiscientific organization, Nature Conservancy, that this has been avoided. This organization, working closely with the Idaho Wildlife Federation which has fought off commercial development for 4 years, provided a loan to the owners to buy a year's time in which to save the lake. The owners have agreed to negotiate for the disposition of the land. However, the loan time is up this summer, emphasizing the need for early legislative authority to provide the Secretary of Agriculture with the means to acquire the property. The bill, as reported by the Interior Committee, authorizes an expenditure up to \$500,000 for this purpose.

The bill, which is cosponsored by my colleague [Mr. JORDAN], is similar to one which I introduced last August. The Department of Agriculture issued a favorable report, as it has on this bill, and at my request field hearings were held in Idaho in October by the Senate Public Lands Subcommittee under the able chairmanship of the distinguished senior Senator from Nevada [Mr. BIBLE]. Nearly all witnesses were in favor of saving Upper Priest Lake.

The Bureau of the Budget has no objection to this bill.

There is an urgency for passage of S. 435, in order that we save for future generations what has been described as "one of the most beautiful places left in the world."

Mr. President, as I have said, I am joined in the cosponsorship of the bill by my colleague from Idaho [Mr. JORDAN]. The bill was first introduced last year, and in August of last year I made an explanatory statement. I ask unanimous consent that that statement be printed in the RECORD together with a letter of endorsement and support for the proposed legislation received by the Senate Committee on Interior and Insular Affairs from Orville Freeman, Secretary of Agriculture, and a letter from Phillip S. Hughes, of the Budget Bureau, dated February 24.

There being no objection, the statement and letters were ordered to be printed in the RECORD, as follows:

LAST CHANCE TO SAVE UPPER PRIEST LAKE

(By Senator FRANK CHURCH)

[In the Senate of the United States]

Mr. CHURCH. Mr. President, recently, an American wrote me from the Punjab Club, Lahore, Pakistan, to enter into a contest of words: Is Upper Priest Lake one of the most beautiful places "in Idaho," "in the coun-

try," or "in the world"? The writer, Mrs. E. J. Peterson, declared it to be "one of the most beautiful places left in the world," and I am prepared to agree with her.

But before long it may not be, and that is why Mrs. Peterson wrote as she did.

"I hope," she said, "that this land will be * * * kept like it is. * * * It would be a shame not to keep it wild."

Nearly everyone in northern Idaho and eastern Washington would agree, and millions more would also if they knew why Upper Priest Lake is endangered.

Mr. President, I should like to tell that story to the Senate at this time.

Upper Priest is a small lake, less than 4 miles long and three-fourths of a mile wide, located near the Washington State border and within walking distance of Canada, in the panhandle of northern Idaho. The panhandle is dotted by lakes, but Upper Priest is the only left which has not felt the permanent imprint of man. It is without commercial development of any sort; it is as wild and natural as God made it.

VISITING UPPER PRIEST

The lake is surrounded on three sides by rising mountains, but the unusual thing about Upper Priest is that, unlike so many similar lakes, one need not cross the mountains to get there. Thousands come there easily each year over a gentle water route.

We can understand something about the special attraction of this route from the description given it by Art Manley, vice president of the Idaho Wildlife Federation, a man who has worked tirelessly to save the lake:

"There is neither road nor trail to the little lake but the approach is easy and scenic, via the Thoroughfare, a lazily meandering stream just deep enough for most outboard motorboats and wide enough to permit one boat to pass another. The Thoroughfare provides a study in nature itself. It is protected by tall, stately white pines, alpine fir, spruce, western redcedar, the light green larch, cottonwoods and many, many other trees, bushes, and flowering vines, the trees often casting their shadows across the entire width of the clear, blue water of the Thoroughfare."

Once inside the lake, the reason for preserving it becomes even more apparent. The air is unusually tranquil, and the lake surface, protected by the mountains, is smooth enough to see the cutthroat trout jumping at great distances. The shore is lined by plants and intermittent sandy beaches which serve as the threshold to an unbroken forest, luxuriant with such a diverse combination of evergreen and deciduous trees as to make a necklace for the lake in autumn of brilliant, splashing color.

In the Selkirk Mountains, above the lake, roam a herd of rare mountain caribou, thought by many to be the last surviving band south of Canada. Mountain goat also inhabit the high country and deer, bear, and moose can be seen occasionally at the water's edge. The giant Mackinaw trout, the landlocked Kokanee salmon, and the rainbow trout inhabit the lake's clear waters.

Two well-concealed campgrounds and an emergency fireguard station are the only permanent evidence of man's intrusion on this scene—at least as of today.

THREAT TO UPPER PRIEST

The west side of the lake is part of the Kaniksu National Forest; the east side is owned by the State of Idaho, with the exception of three separate privately owned parcels. From at least one of these parcels, the sound of bulldozers and hammers may soon disturb the calm, and the day may not be far off when the shoreline will be studded with private boat docks. For the owners of this 140-acre parcel have announced their intention to subdivide their land for cabin sites. For nearly 4 years, the Idaho Wildlife Federation has sought to

avoid this kind of commercial development. Earlier this year, when it looked as if all was lost, a national semiscientific organization, Nature Conservancy, came to the rescue, just as it has done at dozens of other beauty spots throughout the United States. The organization extended a loan to the owners, without interest, in order to buy an extra 10 months' time to save the lake. After that, the land will go up for sale.

As Art Manley has written for the Idaho Wildlife Federation:

"In spite of our very best efforts, we have failed * * * to solve the problem on a local or State level. The owners cannot give us another 4 years. We believe there is no further hope except through Federal help. And so, we are asking today—urgently for that help."

SAVING THE LAKE

It is for this reason, Mr. President, that I am today introducing a bill to authorize the Secretary of Agriculture to acquire these private inholdings at their fair market value. They can then be incorporated into the Kaniksu National Forest and managed so as to protect and conserve the scenic values of Upper Priest Lake for the use of all the public.

I use the phrase "all the public" advisedly, since such a description is appropriate for this jewel of a lake.

Upper Priest is less than 2 hours' driving time from Spokane, the largest city between the Pacific coast and the Midwest. It is estimated that nearly a million tourists traverse the general area each year. Probably no wilderness proves more easily or enjoyably accessible than for those who come to Lower Priest Lake to take a pleasant boat ride through the Thoroughfare, to Upper Priest.

This fact is not lost to those who, like myself, are also concerned with stagnant economic conditions in northern Idaho. Paradoxically, excepting Upper Priest Lake from commercial development has distinct economic value.

In a report made at my request, the Bureau of Outdoor Recreation concluded that preserving Upper Priest in its natural state was important for increasing tourism. "Scenic Upper Priest Lake appears ideal as a natural wilderness-type recreation area."

The report states, and keeping it that way is necessary for "continued expansion of tourism creation. So preserved, Upper Priest Lake could be one of the feature attractions of the panhandle area."

This is but another reason that the threat to Upper Priest has attracted so many to its cause. But the primary reason is that the lake means so much to the people who have been there. They have found it a place to escape from the punishing pace of daily life, free from the encroachment of cabins, docks, or automobiles. In an area where the great outdoors is everywhere, Upper Priest still is unique, an accessible touchstone with a peace no longer found in larger, commercial recreation areas.

The president of the University of Idaho, D. R. Theophilus writes:

"This is a wonderful lake, and I hope that my grandchildren can see it as I have seen it."

The Honorable Don Maynard, representative from Bonner County, says in the same spirit:

"It would be wonderful if we could keep this property just as the good Lord made it."

Judge Frances Sleep, of Sandpoint, tells what Upper Priest symbolizes for her in a manner which speaks for a great many people. She writes:

"I have lived my life in Bonner County. I have seen many changes take place in our area. As a child it was fun to walk a couple of blocks from home in Sandpoint across a meadow to a free and uncluttered lakeshore to picnic or swim. But no more. There is very little public access to our big Pend Oreille nowadays. This is the price we pay

for progress. I am not objecting to the price, you understand, but I do feel we should budget some of our natural resources so they will be preserved wisely to the best advantage for the greatest number."

In 1911, the Congress passed the Weeks Act which was intended to allow for just such budgeting as Judge Sleep referred to. But for too long we have failed adequately to fund it, while the national treasury of scenery which we possess in such abundance is being surrendered to unbridled commercial development. In fiscal 1965, the Federal Government intends to spend only \$500,000 in the entire United States for purchases under the Weeks Act. Thus the need for this special legislation.

The Pacific Northwest Conservation Council, which represents those interested in conservation in the Northwest, put the case well when it said:

"Small areas like [Upper Priest Lake] are often so important to the overall welfare of our resources and they are so often neglected until too late."

Mr. President, the time is short but not yet too late. The bill will allow for the preservation of Upper Priest Lake, and stand as an example, from which the entire country may profit, of the timely application of wise conservation principles.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 24, 1965.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate

DEAR MR. CHAIRMAN: This is in response to your request of January 21, 1965, for a report on S. 435, a bill, "To extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes." We recommend that S. 435 be enacted.

This bill would include within the Kaniksu National Forest certain described lands to the extent that these are not now within the national forest boundaries. It also would authorize the Secretary of Agriculture to acquire the described lands at fair market value.

The particular tracts set out in S. 435 comprise three separate parcels with a combined area of approximately 417 acres. All of these parcels are located on the shorelines of Upper Priest Lake, a natural body of water in Bonner County, Idaho. One parcel of about 84 acres is within the national forest; the other two parcels are outside of, but adjoin, the national forest boundary.

Upper Priest Lake is a beautiful mountain lake approximately 3½ miles long and a mile wide. At present it is undeveloped by roads or dwellings. The lake and adjoining shorelands therefore offer a nearly natural environment. Upper Priest Lake lies some 3 miles northwesterly of Lower Priest Lake and is connected to it by the Thorofare River which is traversable by small pleasure boats. Hence, Upper Priest Lake is accessible by small boats from the developed and road-accessible Lower Priest Lake. While all of Upper Priest Lake is within the national forest, lands adjoining the east side beyond the lake itself are owned by the State of Idaho and three private owners who possess the two parcels above noted. The west side of the lake is national forest land except for the third parcel of private lands discussed above. Lands adjacent to the lake thus are publicly controlled except for the three parcels described in S. 435.

We believe it is highly desirable that Upper Priest Lake and its immediate environs be kept free of habitations and commercial developments. This lake has very substantial public recreation values of the kind that can be best realized and enjoyed in the undeveloped setting which it now offers. Owners of some of the privately owned lands on the east side of the lake, just outside the national forest, have made tentative prop-

arations to subdivide their properties into lake front lots and sell these for private recreation homesites. The probabilities are that if this were done the remaining private lands would also be so utilized and that roads into the area would soon follow.

The described lands are forest lands characteristic of the Kaniksu National Forest and have material potentialities for multiple-use management. As part of the national forest they would be managed in conjunction with the adjacent lands in the area with recreational use oriented to boating, fishing, camping, and hunting in a near-natural environment.

In the present circumstances, acquisition of the three parcels for national forest purposes, therefore, would be highly desirable as a conservation measure and practical from the standpoint of future management in correlation with nearby national forest properties on the same lake. The tracts are within the class of lands which may be acquired with appropriations from the land and water conservation fund. Enactment of S. 435 would indicate congressional concurrence in the acquisition of these tracts and their incorporation in the national forest, and support a high priority for their purchase in the total land and water conservation fund program.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., February 24, 1965.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Bureau of the Budget on S. 435, a bill "to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes."

S. 435 would extend the boundaries of the Kaniksu National Forest to include those lands necessary for the protection and conservation of the scenic values and natural environment of Upper Priest Lake in the State of Idaho. It provides that the Secretary of Agriculture may acquire these lands at fair market value, and that these lands may be managed under the principles of multiple use and sustained yield. The acquisition of these lands would protect public values associated with the shoreline of Upper Priest Lake.

There would be no objection from the standpoint of the administration's program to enactment of this bill.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for
Legislative Reference.

Mr. JORDAN of Idaho. Mr. President, this bill relates to 417 acres of privately owned lands which abut on the shores of Upper Priest Lake in Bonner County, Idaho. The 417 acres are included in three separate parcels which are held in five ownerships. Two parcels are outside of but adjoin the Kaniksu National Forest; one of 84 acres is just within. All of the shoreline of Upper Priest Lake is owned by either the United States or the State of Idaho except the parcels described in S. 435.

Upper Priest Lake is a highly attractive mountain lake approximately 3½ miles long and a mile wide. At the pres-

ent time, its shorelines and environs are in a natural condition, undeveloped with roads or habitations. Access is by boat from Lower Priest Lake via the Thorofare River and present uses are temporary in character—boating, fishing, picnicking, camping, and general enjoyment of the beautiful scenery and the unmodified environment.

However, owners of some of the private lands have made plans to subdivide their properties and sell lakefront lots for summer home purposes. Such action would result in destruction of the near-natural environment and the undeveloped character of Upper Priest Lake and very likely would eventually result in roads being built to the developed properties. Such plans are temporarily in abeyance pending action on proposals for acquisition by public agencies of the privately owned lands.

S. 435 would include within the Kaniksu National Forest the 333 acres, as described in the bill, that are not now within the exterior boundaries of that national forest. The bill also would authorize the Secretary of Agriculture to acquire the 417 acres at their fair market value.

The Department of Agriculture believes that continuance of the shoreline of Upper Priest Lake in a natural condition, free of habitations, businesses, or industrial facilities, and the maintenance of a near natural environment at and around the lake, is in the public interest. In its present condition, Upper Priest Lake has very substantial public recreation values of the kind that can best be realized and enjoyed in the undeveloped, primeval setting it now offers. I concur with this report.

In the current circumstances, public acquisition appears to be the only practical way of assuring that the private properties will not be commercially developed. The Forest Service plans to negotiate with the owners for the properties. The tracts clearly qualify for acquisition with moneys to be appropriated from the land and water conservation fund. Enactment of S. 435 would provide congressional concurrence in the inclusion of these tracts in the national forest and their acquisition by the Department of Agriculture, and would support a high priority for use of land and water conservation funds to purchase them.

These tracts are forest lands of the same kind as nearby national forest lands and have good potentialities for multiple use management. As part of the Kaniksu National Forest, they would be so managed in conjunction with nearby lands. Recreational use would be oriented to boating, fishing, camping, and hunting in a near natural environment.

Hearings have been held in Idaho last October. These hearings were well attended and the overwhelming consensus of testimony taken was in support of this acquisition.

I urge passage of S. 435.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The bill (S. 435) was passed.

SOME OBSERVATIONS CONCERNING OCCUPATIONAL HAZARDS OF SENATORS, THE WISDOM OF THE McCARRAN-WALTER ACT, AND THE PROPOSAL TO SUBSTITUTE THE CAPRICE OF THE FEDERAL ADMINISTRATOR FOR THE RULE OF LAW IN IMMIGRATION AFFAIRS

Mr. ERVIN. Mr. President, one of the occupational hazards of a Senator is that he is sometimes charged with responsibility for words he has never spoken. This hazard is magnified many times when his official duty requires him to discuss highly controversial subjects such as existing or proposed immigration laws.

Since I know that truth cannot overtake errors of this character and repair the injury they do, I usually ignore statements attributing to me things I have never said, and devote my energy and time to the performance of my public duties.

While I am reluctant to do so, I am constrained to depart from my ordinary practice in respect to a statement attributed to me in an article which bears the name of Andrew J. Glass, a reporter for the New York Herald Tribune, and which was published in the New York Herald Tribune, the Washington Post, and other newspapers on February 25, 1965, or subsequent days.

This statement was contained in an article which purported to be an objective account of the hearing conducted on the previous day by the Senate Subcommittee on Immigration and Naturalization upon the administration's bill to relax the provisions of the McCarran-Walter Act and to repeal the national origins quota system embodied in that act.

The statement in question was as follows: "North Carolina Senator SAM J. ERVIN, JR., Democrat, said white Anglo-Saxon Protestants 'are the people who made America great.'" I assert with all the emphasis possible that I never made any statement of this character during the hearing. Moreover, I assert with all the emphasis possible that I never made any similar statement at any time on any other occasion anywhere.

I strive to be intellectually honest in all my public actions and utterances. My chief lifelong hobby has been the study of history and history has taught me that the United States has been made great by the contributions of many peoples of many national origins, many races, and many religions.

As a matter of simple truth, I did not use the word "white" or the word "Protestant" at any time in the hearing which this article purported to cover. I have made references to the subject of religion in only two contexts during the

entire hearings upon the bill. My first reference has been to the fact that the McCarran-Walter Act does not bar the admission of any human being as an immigrant to the United States on the basis of his religion, and any charge that it does is simply pious propaganda having no foundation in the act.

My second reference to religion consisted of allusions to Biblical quotations, such as the embodied in I Timothy 5: 8, which enjoins us to provide for our own. I made these allusions to emphasize my conviction that it is exceedingly unwise to relax our immigration laws and increase the immigrants coming to the United States to any extent at a time when 7 million Americans are on public welfare, 3.8 million Americans are seeking in vain for jobs in which to earn daily bread for themselves and their families, the administration is asking the Congress to appropriate billions of dollars for the abolition of poverty in Appalachia and other areas of the Nation, and the Bureau of the Census is predicting that the population of the United States will increase to a total of approximately 280 million people within 20 years.

While I made no statement to the effect that "white Anglo-Saxon Protestants 'are the people who made America great,'" I could have said that they have made great contributions to the settlement and development of America. Had I done so, I would have spoken a simple historic truth which no person can rightly deny. This is so because 12 of the 13 Colonies were originally settled in large measure by white Anglo-Saxon Protestants. The 13th Colony, Maryland, was originally settled in substantial part by Catholics, and it can be said to the glory of its proprietor, Lord Baltimore, that he extended religious liberty to all persons within Maryland's borders.

Having stated what I did not say, let us proceed to consider what I did say.

It is undoubtedly true that hundreds of millions of people living in the Eastern Hemisphere would like to immigrate to the United States. The McCarran-Walter Act recognizes the necessity for placing restrictions upon their immigration to the United States, and undertakes to assign to each nation in the Eastern Hemisphere a specific quota of immigrants in proportion to the number of Americans whose national origin is traceable to such country.

As a consequence, the national origins quota system is based on conditions existing in the United States, and for this reason, is like a mirror reflecting the United States.

Since Americans whose national origins are traceable to England, Ireland, Scotland, France, Germany, Holland, and the Scandinavian countries constitute the most numerous parts of the population of the United States, the immigrant quotas assigned to these nations by the national origins quota system are necessarily larger than the immigrant quotas assigned by the system to other nations in the Eastern Hemisphere. This brings me to what I did say on the hearing.

I maintained these propositions at the hearing by questions and statements:

First. Those who oppose the national origins quota system embodied in the McCarran-Walter Act charge that it discriminates against other nations in the Eastern Hemisphere because of the relatively larger quotas which the national origins quota system assigns to England, Ireland, Scotland, France, Germany, Holland, and the Scandinavian countries.

Second. The national origins quota system embodied in the McCarran-Walter Act affords a rational and uniform formula for governing the admission of immigrants to the United States for these reasons:

(a) The Americans whose national origins are traceable to England, Ireland, Scotland, France, Germany, Holland, and the Scandinavian countries constitute the most numerous groups in our population;

(b) England, Ireland, Scotland, France, Germany, Holland, and the Scandinavian countries and the Americans tracing their national origins to them have made the greatest contributions to America; and

(c) Immigrants are more readily assimilated by the United States if their national origins bear a reasonable ratio to Americans tracing their national origins to the same countries.

In support of my statement concerning the contributions of the enumerated countries to the making of America, I pointed out that in addition to supplying us with most of our inhabitants, some of them, namely, the British Isles, gave us our language, our law, and much of our literature.

What I had to say on this phase of the hearing is revealed by the following colloquy which occurred between Senator JAVRS, of New York, and me. As recorded in the official transcript of the hearing, this colloquy was as follows:

Senator JAVRS. Mr. Secretary, I would like to join with Senator FONG in everything he has said about your personal handling of this matter, and its implications to the United States and the world.

As the son of immigrant parents, one of whom came from what was then the Turkish province of Palestine, and the other of whom came from Austria-Hungary, the Austrian-Hungarian Empire, I can't sit still for the proposition uttered by my colleague from North Carolina that the ethnic groups that came from Northern Europe and England made America. Too much blood and toil came from the soil of Italy, for example.

Senator ERVIN. The Senator from North Carolina didn't say that.

Senator JAVRS. Too much blood and too much work, went into the soil from Italy, from Greece, from Germany, from Poland, and from all Eastern Europe, and from many other parts of the world, for us to proceed to legislate or set a standard of policy for our country on the theory that the 60 million who now survive the Anglo-Saxon and the Scandinavian immigration to this country represent the ethnic groups that made America. I don't think that those ethnic groups themselves, to their everlasting credit, would subscribe to any such idea.

I now yield.

Senator ERVIN. What I said was that the McCarran-Walter Act gives preference in quotas to nations which made the greatest contributions to America. I stand on that statement because it is true. There are other people, from various sections of the world, that made great contributions to

89TH CONGRESS
1ST SESSION

S. 435

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 1965

Referred to the Committee on Interior and Insular Affairs

AN ACT

To extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, to promote protection and conservation of the outstand-
4 ing scenic values and natural environment of Upper Priest
5 Lake in Idaho and lands adjacent thereto for public use
6 and enjoyment, the boundaries of the Kaniksu National
7 Forest are hereby extended to include those of the lands
8 hereinafter described which are not now within such bound-
9 aries. In order that they may be managed under the prin-
10 ciples of multiple use and sustained yield, the Secretary of

1 Agriculture is hereby authorized to acquire the following
2 lands at their fair market value:

3 Township 63 north, range 4 west, Boise meridian:

4 section 18, southeast quarter southeast quarter;

5 section 19, northeast quarter northeast quarter, lot 3
6 (southeast quarter northeast quarter) ;

7 section 20, southwest quarter northwest quarter;

8 section 33, lot 1 (northeast quarter northwest quar-
9 ter), lot 2 (southeast quarter northwest quarter), lot 3
10 (northeast quarter southeast quarter), lot 6 (southeast
11 quarter southwest quarter), west half southwest quarter
12 northeast quarter, west half northwest quarter southeast
13 quarter, southwest quarter southeast quarter.

14 Township 63 north, range 5 west, Boise meridian:

15 section 24, northeast quarter northeast quarter, east
16 half northwest quarter northeast quarter, northeast quar-
17 ter northeast quarter southwest quarter northeast quar-
18 ter, northwest quarter southeast quarter northeast
19 quarter, lot 2 (northeast quarter southeast quarter north-
20 east quarter), lot 3 (northeast quarter southeast quarter
21 southeast quarter northeast quarter) .

22 SEC. 2. There are hereby authorized to be appropriated

1 not to exceed \$500,000 to carry out the purposes of this
2 Act.

Passed the Senate March 4, 1965.

Attest:

FELTON M. JOHNSTON,

Secretary.

AN ACT

To extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

MARCH 5, 1965

Referred to the Committee on Interior and Insular
Affairs

89TH CONGRESS
1ST SESSION

H. R. 7427

IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 1965

Mr. HANSEN of Idaho introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, for the purpose of authorizing appropriations from the
4 land and water conservation fund established by section 2 of
5 the Land and Water Conservation Fund Act of 1965 for the
6 acquisition of lands adjacent to national forests as authorized
7 by section 6 of such Act, the Secretary of Agriculture is
8 authorized to acquire by exchange, purchase, or otherwise,
9 the real property described in section 3 of this Act. Upon
10 such acquisition the boundaries of the Kaniksu National
11 Forest are extended to include such real property.

1 SEC. 2. In the acquisition of the real property described
2 in section 3, the Secretary of Agriculture shall be guided by
3 the following policies:

4 (1) He should make every reasonable effort to
5 acquire the property by exchange or negotiated pur-
6 chase.

7 (2) The property should be appraised by the
8 Secretary of Agriculture before the initiation of negotia-
9 tions, and the owner or his designated representative
10 should be given an opportunity to accompany the
11 appraiser during his inspection of the property.

12 (3) Before the initiation of negotiations for the
13 property, the Secretary of Agriculture should establish
14 a price which he believes to be a fair and reasonable
15 consideration therefor and should make a prompt offer
16 to acquire the property for the full amount so established.
17 In no event should such price be less than the appraised
18 fair value of such property, as determined by the
19 Secretary.

20 SEC. 3. The real property authorized to be acquired
21 under authority of this Act is more particularly described
22 as follows:

23 Township 63 north, range 4 west, Boise meridian:

24 Section 18, southeast quarter southeast quarter; sec-
25 tion 19, northeast quarter northeast quarter, lot 3

1 (southeast quarter northeast quarter) ; section 20, south-
 2 west quarter northwest quarter; section 33, lot 1
 3 (northeast quarter northwest quarter), lot 2 (southeast
 4 quarter northwest quarter), lot 3 (northeast quarter
 5 southeast quarter), lot 6 (southeast quarter southwest
 6 quarter), west half southwest quarter northeast quarter,
 7 west half northwest quarter southeast quarter, southwest
 8 quarter southeast quarter.

9 Township 63 north, range 5 west, Boise meridian:

10 Section 24, northeast quarter northeast quarter, east
 11 half northwest quarter northeast quarter, northeast quar-
 12 ter northeast quarter southwest quarter northeast quar-
 13 ter, northwest quarter southeast quarter northeast
 14 quarter, lot 2 (northeast quarter southeast quarter
 15 northeast quarter), lot 3 (northeast quarter southeast
 16 quarter southeast quarter northeast quarter).

89TH CONGRESS
1ST Session

H. R. 7427

A BILL

To extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

By Mr. HANSEN of Idaho

APRIL 13, 1965

Referred to the Committee on Interior and Insular
Affairs

A BILL

to amend the provisions of the Finance Bill
 and to provide for the better regulation of
 the same.

Enacted by the Senate of the United States

in the year 1921

1921

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

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89th-1st; No. 84

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HIGHLIGHTS: House committee reported bill to establish Department of Housing and Urban Development. House passed independent offices appropriation bill. Several Representatives and Senators commended REA on 30th anniversary. Rep. Talcott criticized farm labor situation. Sen. Mundt commended agriculture utilization research. Sen. Douglas introduced and discussed housing and urban development bill.

HOUSE

1. **HOUSING AND URBAN DEVELOPMENT.** The Government Operations Committee reported with amendment H. R. 6927, to establish a Department of Housing and Urban Development (H. Rept. 337). p. 9880
2. **INDEPENDENT OFFICES APPROPRIATION BILL, 1966.** Passed with amendments this bill, H. R. 7997 (pp. 9805-21). The bill includes funds for civil defense and defense mobilization functions of Federal agencies; disaster relief fund of

the President; Civil Service Commission; Federal Power Commission; Federal Trade Commission; General Accounting Office; General Services Administration; Housing and Home Finance Agency; Interstate Commerce Commission; and National Science Foundation.

3. FORESTRY. The Subcommittee on Public Parks of the Interior and Insular Affairs Committee voted to report to the full committee with amendment H. R. 5798, to extend the boundaries of the Kaniksu National Forest, Idaho. p. D382
4. RIVER BASINS. The Rules Committee reported a resolution for consideration of H. R. 6755, to authorize additional appropriations for the prosecution of certain river basin plans for flood control by the Corps of Engineers (pp. 9821-2, 9880). Rep. Jones, Ala., spoke in support of this bill (p. 9827).
5. WATER RESOURCES. The Rules Committee reported a resolution for consideration of H. R. 5269, to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects. pp. 9822, 9880
6. RECLAMATION. The Interior and Insular Affairs Committee reported with amendment H. R. 6032, to authorize increased appropriations for the Mann Creek reclamation project, Idaho (H. Rept. 388). p. 9880
7. COPYRIGHTS. A subcommittee of the Judiciary Committee voted to report to the full committee with amendment H. J. Res. 431, to extend the duration of copyright protection in certain cases. p. D382
8. ELECTRIFICATION. Several Representatives paid tribute to the Rural Electrification Administration on its 30th anniversary. pp. 9824-6, 9828-30, 9861-2, 9868-9, 9878-9
Rep. Brown, Calif., commended AID, with the help of U. S. cooperatives and voluntary organizations, in providing assistance for the establishment of rural electric cooperatives in Latin America. pp. 9867-8
9. FARM LABOR. Rep. Talcott criticized the farm labor policies of the Department of labor and stated there was not an adequate supply of farm labor to harvest crops in Calif. p. 9842
10. UNDER SECRETARY. Reps. Cooley, Albert, and others commended the public service record of Under Secretary Murphy. pp. 9875-8
11. FOREIGN AID. Rep. Vigorito stated that the foreign aid program should not be blamed for the U. S. balance-of-payments deficit. p. 9828
Rep. Matsunaga defended the foreign aid program, stating that it is designed to help people and not foreign governments. p. 9873
Rep. Bingham commended the Alliance for Progress program, particularly in providing agricultural credit loans and food for the peoples of Latin America. p. 9875
12. REGIONAL DEVELOPMENT. Rep. Cleveland contended that the New England area was not receiving a fair share of Federal assistance for economically depressed areas. pp. 9834-5

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HIGHLIGHTS: See page 7

HOUSE

1. COFFEE. By a vote of 300 to 97, passed with amendments S. 701, to grant the President authority to carry out U. S. obligations under the International Coffee Agreement and provide a limit of \$150,000 per fiscal year on the U.S. contribution toward the cost of administration of the agreement (pp. 9885, 9887-9908). Agreed to an amendment by Rep. Findley providing that the bill will not become effective until the President makes a determination and reports to the Congress that, in his judgment, it will not result in an unwarranted increase in coffee prices to U. S. consumers (pp. 9906-8).

2. TOBACCO. The Agriculture Committee reported without amendment H. J. Res. 436, to extend the time by which a lease transferring a tobacco acreage allotment may be filed with ASC county committee (H. Rept. 345). p. 9936
3. FORESTRY. The Interior and Insular Affairs Committee voted to report (but did not actually report) with amendment ~~H. R. 797, to provide for establishment of the Whiskeytown-Shasta-Trinity National Recreation Area, Calif., and H.R. 5798~~ to extend the boundaries of the Kaniksu National Forest, Idaho. p. D388
Rep. Hechler inserted an address on the importance of the pulpwood industry in the U. S., particularly in W. Va. pp. 9914-5
4. PERSONNEL; PAY. Both Houses received the President's Federal pay message (H. Doc. 170) (pp. 9884-5, 9939-40) in which he: Recommended an average 3 percent increase in Federal civilian salaries to become effective Jan. 1, 1966. Proposed establishment of a permanent mechanism for review at four-year intervals of the structure of all Government salary systems with authority for the President to propose changes in salary schedules for top positions in the executive, legislative, and judicial branches to become effective on a given date unless disapproved by either House of Congress. Proposed a procedure for acting, between quadrennial reviews, upon such periodic adjustments in pay rates for Federal civilian and military personnel as may be warranted to become effective on a given date unless disapproved by either House of Congress. Stated he would send to Congress legislative proposals for an equitable system for payment of moving expenses of Federal employees transferred for the convenience of the Government, and to authorize payment of readjustment allowances to certain employees separated involuntarily from the Government. Stated that he would continue his "personnel efforts to hold down employment."
5. RIVER BASINS. Passed without amendment H. R. 6755, to authorize additional appropriations for the prosecution of certain river basin plans for flood control by the Corps of Engineers. pp. 9889, 9909-10
6. PUBLIC LANDS. The Interior and Insular Affairs Committee reported with amendment H. R. 396, to provide that until June 30, 1968, Congress shall be notified of certain proposed public land actions (H. Rept. 341). p. 9936
7. TRADE FAIRS. The Merchant Marine and Fisheries Committee reported without amendment H. R. 4525, to continue authority to develop American-flag carriers and promote the foreign commerce of the U. S. through the use of mobile trade fairs (H. Rept. 343). p. 9936
8. TARIFFS. The Ways and Means Committee reported without amendment H. R. 7969, to correct certain errors in the Tariff Schedules of the U. S. (H. Rept. 342). p. 9936
9. FARM LABOR. Reps. Utt and Hosmer criticized the farm labor policies of the Department of Labor and stated there were not adequate farm laborers in Calif. to harvest the crops. p. 9916
10. FOREIGN CURRENCIES. Rep. Curtis commended the proposal of Rep. Findley to permit U. S. tourists to exchange dollars for U. S. foreign currencies in foreign countries. p. 9923

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89th-1st, No. 89

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HIGHLIGHTS: House Rules Committee cleared Northwest disaster relief bill. Both houses received President's Labor message. Sen. McNamara and Rep. Roosevelt introduced and discussed bills to amend Fair Labor Standards Act. Rep. Findley criticized USDA program to refigure crop yield data. Rep. Sullivan commended study by National Food Marketing Commission. Sen. Sparkman inserted report on expanded beef exports.

HOUSE

1. **DISASTER RELIEF.** The Rules Committee reported a resolution for consideration of H. R. 7303, to provide assistance to Calif., Ore., Wash., Nev., and Idaho for the reconstruction of areas damaged by recent floods. pp. 10497, 10541

2. WATER RESOURCES. Passed with amendment S. 1229, to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects and to provide the Secretary of the Interior with authority for recreation development of projects under his control, after substituting the language of a similar bill, H. R. 5269, which was passed earlier as reported from committee. H. R. 5269 was tabled. (pp. 10496-509) The committee report states that, in effect, the bill is applicable only to Interior and Army water resources development projects.
Rep. Anderson inserted Secretary Freeman's address dedicating nine community water systems in Lawrence County, Tenn., and discussing the importance of developing the economy in rural areas. pp. 10537-8
3. LABOR. Both Houses received the President's labor message in which he urged amendment of the Fair Labor Standards Act to extend its protection to an additional 4½ million workers (pp. 10399-400, 10493-4). Reps. Griffin and Roosevelt commended the message, and Rep. Roosevelt inserted an explanation of the proposed bill transmitted with the message which states that the bill would consolidate and clarify the Fair Labor Standards Act's present exemptions for the handling and processing of farm commodities (pp. 10521-3).
4. FORESTRY. The Interior and Insular Affairs Committee reported with amendment H. R. 5798, to extend the boundaries of the Kaniksu National Forest, Idaho (H. Rept. 351). p. 10541
5. EDUCATION. The "Daily Digest" states that the Special Subcommittee on Education of the Education and Labor Committee "ordered reported H. R. 3220, regarding higher education (a clean bill to be introduced in lieu thereof)". p. D412
6. FARM PROGRAM; CROP YIELDS. Rep. Findley stated that he has asked the President "to call a halt to a costly and illegal program under which crop-yield data for most of the Nation's farms is being refigured" by this Department, and inserted the text of his letter to the President on the subject. p. 10528
Rep. Williams inserted an address on the economic development of Miss., including agriculture and forestry development. pp. 10523-5
7. PERSONNEL. Rep. Dole commended Hollis Williams, SCS, for receiving a distinguished service award by this Department. p. 10525
8. AREA REDEVELOPMENT. Received from GAO "a report of inequitable allocation of accelerated public works funds among eligible areas, Area Redevelopment Administration." p. 10541
9. LEGISLATIVE PROGRAM. Rep. Albert stated that H. R. 7303, the Northwest disaster relief bill, will probably be considered today, Wed. p. 10493

SENATE

10. LABOR STANDARDS. Sen. Javits stated that the President's labor message is a "good step in the right direction" but is far from adequate to deal with certain problems. p. 10457
11. AIR POLLUTION. Passed as reported S. 306, to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles and to establish a Federal Air Pollution Control Laboratory. pp. 10400-4

EXTENDING THE BOUNDARIES OF THE KANIKSU NATIONAL FOREST, IDAHO

MAY 18, 1965.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. BARING, from the Committee on Interior and Insular Affairs,
submitted the following

R E P O R T

[To accompany H.R. 5798]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 5798) to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 1, lines 3 to 7 inclusive, strike out "for the purpose of authorizing appropriations from the land and water conservation fund established by section 2 of the Land and Water Conservation Fund Act of 1965 for the acquisition of lands adjacent to national forests as authorized by section 6 of such Act,".

Page 2, line 5, strike out "exchange or".

Page 2, line 7, after "appraised" insert "at its fair market value".

Page 2, line 11, strike out "his" and insert "an".

Page 2, lines 12 to 19 inclusive, strike out all of paragraph (3).

BILLS CONSIDERED

In addition to H.R. 5798, by Representative White of Idaho, the committee considered an identical bill, H.R. 7427, by Congressman Hansen of Idaho.

PURPOSE

H.R. 5798, as amended by the committee, will authorize the Secretary of Agriculture to acquire approximately 417 acres of land abutting the shore of Upper Priest Lake, Idaho, and incorporate it in the Kaniksu National Forest.

NEED

The Kaniksu National Forest was established in 1908 on lands previously set aside for the Priest River National Forest. The shoreline of Upper Priest Lake is comprised of lands of the Kaniksu National Forest, lands owned by the State of Idaho, and the three parcels of privately owned land covered by H.R. 5798.

The objective of H.R. 5798 is to protect Upper Priest Lake, which is a natural body of water, from becoming overcrowded through intensive development of the privately owned tracts. The committee was advised that the lake is apparently the only one remaining in the panhandle of north Idaho that has not been subjected to commercial development and permanent alteration or intrusion by man. The Secretary of Agriculture through the Forest Service has taken action to preserve the forest lands along Upper Priest Lake and to enter into an agreement with the State of Idaho under which the State lands would be withheld from development.

While the Secretary of Agriculture is authorized under the act of March 1, 1911 (36 Stat. 961), as amended (16 U.S.C. 516), to purchase such lands as have been approved for purchase by the National Forest Reservation Commission, he is barred by the act of June 25, 1910 (36 Stat. 847, as amended; 16 U.S.C. 471(a)) from adding the land to the Kaniksu National Forest in the absence of such legislation as H.R. 5798.

The committee recognizes the role of the National Forest Reservation Commission in approving the terms of purchase of lands by the Forest Service and has no desire to encourage the introduction of legislation in other instances for the purpose of authorizing purchases without approval by the Commission. However, inasmuch as the committee was informed that time is of the essence in proceeding with the acquisition and since an act of Congress would, in any event be required to permit the inclusion of the lands within the Kaniksu National Forest, the committee has given favorable consideration to H.R. 5798.

COMMITTEE AMENDMENTS

The committee amendments accomplish the following for the reasons indicated:

(1) Deleted language authorizing appropriations, since the Second Supplemental Appropriations Act, 1965, approved April 30, 1965 (70 Stat. 81; Public Law 89-16), includes \$500,000 among the funds to be derived from the land and water conservation fund for the acquisition of the land involved in H.R. 5798.

(2) Deleted the requirement that the Secretary of Agriculture make further effort to acquire the property by exchange, in view of information furnished to the committee that efforts to effect exchanges have been unsuccessful. The right of the Secretary to acquire the land by exchange has, however, been retained and the committee urges departmental representatives to continue to explore the possibility of exchanges in lieu of purchase.

(3) Added a requirement that the property be appraised at its fair market value this being the normal standard for the acquisition of real property by the United States.

(4) Provided that the owner of property or his designated representative shall be given an opportunity to accompany the Govern-

ment appraiser on an inspection of the property while leaving the appraiser free to view the property at other times, if he so desires, by himself.

(5) Consistent with amendment (3) above, deleted a provision which would have permitted the Secretary of Agriculture to establish a price not necessarily related to appraised fair market value. The committee has been assured by the Secretary of Agriculture that it is the Department's intention to offer the owners the appraised values as determined by the Secretary.

COST

It is estimated that acquisition of the lands described in H.R. 5798 will involve an expenditure of \$500,000 from the land and water conservation fund. As noted above, moneys for this purpose have already been appropriated.

DEPARTMENTAL RECOMMENDATIONS

The Department of Agriculture and the Department of the Interior favor this legislation as indicated in their reports set forth below:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., May 11, 1965.

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives.

DEAR MR. CHAIRMAN: This is in response to your request of March 18, 1965, for a report on H.R. 5798, a bill to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

We would have no objection to enactment of H.R. 5798 if amended as hereinafter mentioned but would prefer the language of S. 435, recently passed by the Senate and recommended that it be enacted.

H.R. 5798 would authorize the Secretary of Agriculture to acquire certain described lands by exchange, purchase, or otherwise. It also would include within the Kaniksu National Forest those lands, when acquired, to the extent that they are not now within the national forest boundaries.

The particular tracts set out in H.R. 5798 comprise three separate parcels with a combined area of approximately 417 acres. All of these parcels are located on the shorelines of Upper Priest Lake, a natural body of water in Bonner County, Idaho. One parcel of about 84 acres is within the national forest; the other two parcels are outside of, but adjoin, the national forest boundary.

Upper Priest Lake is a beautiful mountain lake approximately 3½ miles long and a mile wide. At present it is undeveloped by roads or dwellings. The lake and adjoining shorelands therefore offer outstanding opportunities for outdoor recreation in a near natural environment. Upper Priest Lake lies some 3 miles northwesterly of Lower Priest Lake and is connected to it by the Thorofare River which is traversable by small pleasure boats. Hence, Upper Priest Lake is accessible by small boats from the developed and road-accessible Lower Priest Lake. While all of Upper Priest Lake is within the national forest, lands adjoining the east side beyond the lake itself are outside the present national forest boundaries. They are owned

by the State of Idaho and the private owners who possess the two parcels above noted. The west side of the lake is national forest land except for the third parcel of private lands discussed above. Lands adjacent to the lake thus are publicly controlled except for the three parcels described in H.R. 5798.

We believe it is highly desirable that Upper Priest Lake and its immediate environs be kept free of habitations and commercial developments. This lake has very substantial public recreation values of the kind that can be best realized and enjoyed in the undeveloped, natural setting which it now offers. Owners of some of the privately owned lands on the east side of the lake, just outside the national forest, have made preparations to subdivide their properties into lakefront lots and sell these for private recreation homesites. Sales may be undertaken within a few months. The probabilities are that if this is done the remaining private lands will also be so utilized and that roads and other improvements soon would follow.

The described lands are forest lands characteristic of the Kaniksu National Forest and have material potentialities for multiple-use management. As part of the national forest they would be managed in conjunction with the adjacent lands in the area, with recreational use oriented to boating, fishing, camping, and hunting in a near-natural environment.

In the present circumstances, acquisition of the three parcels for national forest purposes would be highly desirable as a conservation measure and practical from the standpoint of future management in correlation with nearby national forest properties on the same lake. The tracts are within the class of lands which may be acquired with appropriations from the land and water conservation fund.

H.R. 5798 is similar in purpose to S. 435 recently passed by the Senate. Either bill would provide specific authorization for purchase of the described tracts, would include them in the national forest, and would confirm the desirability of acquisition and management of them as part of the national forest to conserve their outstanding outdoor recreation and other natural resources. However, H.R. 5798 would prescribe certain policies to be followed in acquiring the lands which appear unnecessary or which would restrict negotiation by the Government in ways which would not be in the public interest. ed

Item (1) of section 2 on page 2 of the bill would direct the Secretary of Agriculture to make every reasonable effort to acquire the property through exchange or negotiated purchase. As to acquisition through purchase, this Department is committed to make all reasonable efforts to reach amicable and mutually satisfactory agreements for the purchase of the lands by the United States. The possibility of acquiring the described lands through land exchange procedures was explored when the need for public ownership to avoid intensive development first was brought to public attention. We then determined that an exchange transaction would be impractical because of lack of interest on the part of the present landowners in acquiring national forest lands which are available for exchange. Exchange would require dealing through other parties which would be complicated, involve unacceptable delays, and at best would be of dubious feasibility. We therefore recommend that if H.R. 5798 is favorably considered the words "exchange or" be stricken from line 5 on page 2.

Item (2) of section 2 of the bill would require that the property be appraised by the Secretary of Agriculture before initiation of negotia-

tions and that the owner or his designated representative be given an opportunity to accompany the appraiser during his inspection of the property. This Department would, of course, have adequate appraisals made of all the tracts before attempting to negotiate for their acquisition. We see no objection to property owners assisting the Government's appraisers in locating and identifying property to be appraised and providing factual information in regard to the property. Such actions can be helpful. Also any information or data the owner desires to submit should be considered. However, the property owner obviously cannot and should not directly participate in the appraisal. The appraiser must be free to exercise his own judgment in his ascertainment of the fair value of the property. We therefore recommend item (2) of section 2 be deleted and that item (3) be renumbered as item (2).

Item (3) of section 2 would require the Secretary to establish a price which he believes to be fair and reasonable and to promptly make an offer to acquire the property for the full amount so established. Such amount would not be less than the appraised fair value as determined by the Secretary. Although we would not favor such provisions as a general requirement, this is a special situation. Here the Government needs to acquire all described property. There is not the opportunity to negotiate, or shop around, between different tracts or different offers so as to acquire only those tracts or portions which would be readily available. Therefore, it would be our intention in this instance to offer the appraised value as determined by the Secretary.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 10, 1965.

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. ASPINALL: This responds to your request for our views on H.R. 5798, a bill to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes. H.R. 7427 is an identical bill.

We recommend that the bill be enacted after amendment to clarify section 2.

H.R. 5798 authorizes the Secretary of Agriculture to acquire by exchange, purchase, or otherwise, certain lands, comprising some 417 acres, to be included in the Kaniksu National Forest. In such acquisition, the Secretary of Agriculture is directed to make every reasonable effort to acquire the property by exchange or negotiated purchase. The property should be appraised by the Secretary of Agriculture before the initiation of negotiations, and the owner or his designated representative should be given an opportunity to accompany the appraiser during his inspection of the property.

Before the initiation of negotiations for the property, the Secretary of Agriculture should establish a price which he believes to be fair and reasonable, and should make a prompt offer to acquire the property for the full amount so established. In no event is the price to be less than the appraised fair market value of the property.

The lands which the Secretary of Agriculture is authorized to acquire are in the vicinity of the Upper Priest Lake. It is a small lake, less than 4 miles long and three-quarters of a mile wide, located near the Washington State border and within walking distance of Canada, in the panhandle of north Idaho. The panhandle is dotted by lakes, but Upper Priest reportedly is the only one left which has not felt the permanent imprint of man. It is without commercial development of any kind. The lake is surrounded on three sides by mountains. In the Selkirk Mountains, above the lake, roam a herd of rare mountain caribou, thought by many to be the last surviving band south of Canada. Mountain goats also inhabit the high country, and deer, bear, and moose can be seen occasionally at the water's edge. The giant Mackinaw trout, the landlocked Kokanee salmon, and rainbow trout inhabit the lake's clear waters. Two well-concealed campgrounds and an emergency fireguard station are the only evidences of man's intrusion on this scene.

The west side of the lake is part of the Kaniksu National Forest. The east side is owned by the State of Idaho with the exception of three separate privately owned parcels. The owners of one of these parcels have announced their intention to subdivide their land for cabin sites. The Idaho Wildlife Federation has manifested its interest in seeking to avoid this type of commercial development. A national organization, Nature Conservancy, has been instrumental in buying time to save the natural setting around the lake.

This lake is less than 2 hours' driving time from Spokane, the largest city between the Pacific coast and the Midwest. It is estimated that nearly a million tourists traverse the general area each year.

In a report, the Bureau of Outdoor Recreation concluded that preserving Upper Priest Lake in its natural state was important for increasing tourism. The Bureau stated "Scenic Upper Priest Lake appears ideal as a natural wilderness-type recreation area * * * [keeping it that way is necessary for] continued expansion of tourism creation. So preserved, Upper Priest Lake could be one of the feature attractions of the Panhandle area."

The Kaniksu National Forest was created by Executive Order 845 of June 26, 1908, effective July 1, 1908. Section 471 of title 16, United States Code provides in part that—

"No national forest shall be created nor shall any additions be made to one created prior to June 25, 1910, within the limits of the States of California, Oregon, Washington, Idaho, Montana, Colorado, or Wyoming, except by Act of Congress."

Some of the lands which are the subject of the bill are outside the boundaries of the national forest and cannot be added to it except by congressional action. H.R. 5798 accomplishes this goal.

The provisions of section 2 of the bill relating to the mode of acquisition of the property presumably stems from the "Study of Compensation and Assistance for Persons Affected by Real Property Acquisition in Federal and Federally Assisted Programs," 88th Congress, 2d session, Committee on Public Works Print No. 31. In

brief, the study indicates that some Federal agencies, in negotiating the purchase of lands, may have paid less than fair market value for some lands.

The provisions of section 2 do not apply to this Department but they have the effect of initiating a precedent which might affect legislation in which this Department is directly concerned. We think that such provisions should be carefully considered.

We see no objection to a landowner accompanying an appraiser while the latter inspects the property. The landowner should not, however, participate in the formulation of the appraisal.

Section 2 directs the Secretary of Agriculture to offer "a price which he believes to be a *fair and reasonable consideration*." [Emphasis supplied.] The meaning of this term is not entirely clear. The constitutional measure of "just compensation" has been construed by the courts to require no more than payment of fair market value of the property. Whether the term "fair and reasonable consideration" includes any other element in addition to the fair market value is uncertain. If a departure from the constitutional standard of "just compensation" is intended, it should be carefully set out with specificity. If no departure is intended, the phrase "fair market value" should be used.

Until fair market value has been determined by a court, an estimate of fair market value may be based on a range of values. We see no objection to a requirement that the purchasing officer offer to buy land at any figure within that range and negotiate from a point no lower than the bottom of that range.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN A. CARVER, Jr.,
Under Secretary of the Interior.

COMMITTEE RECOMMENDATIONS

The Committee on Interior and Insular Affairs recommends enactment of H.R. 5798 as amended.



H. R. 5798

[Report No. 351]

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 1965

Mr. WHITE of Idaho introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

MAY 18, 1965

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, for the purpose of authorizing appropriations from the
4 land and water conservation fund established by section 2 of
5 the Land and Water Conservation Fund Act of 1965 for the
6 acquisition of lands adjacent to national forests as authorized
7 by section 6 of such Act, the Secretary of Agriculture is
8 authorized to acquire by exchange, purchase, or otherwise,
9 the real property described in section 3 of this Act. Upon
10 such acquisition the boundaries of the Kaniksu National
11 Forest are extended to include such real property.

1 SEC. 2. In the acquisition of the real property described
2 in section 3, the Secretary of Agriculture shall be guided by
3 the following policies:

4 (1) He should make every reasonable effort to
5 acquire the property by ~~exchange or~~ negotiated pur-
6 chase.

7 (2) The property should be appraised *at its fair*
8 *market value* by the Secretary of Agriculture before the
9 initiation of negotiations, and the owner or his desig-
10 nated representative should be given an opportunity
11 to accompany the appraiser during his *an* inspection
12 of the property.

13 ~~(3) Before the initiation of negotiations for the~~
14 ~~property, the Secretary of Agriculture should establish~~
15 ~~a price which he believes to be a fair and reasonable~~
16 ~~consideration therefor and should make a prompt offer~~
17 ~~to acquire the property for the full amount so established.~~
18 ~~In no event should such price be less than the appraised~~
19 ~~fair value of such property, as determined by the~~
20 ~~Secretary.~~

21 SEC. 3. The real property authorized to be acquired
22 under authority of this Act is more particularly described
23 as follows:

24 Township 63 north, range 4 west, Boise meridian:

25 Section 18, southeast quarter southeast quarter; sec-

tion 19, northeast quarter northeast quarter, lot 3
 (southeast quarter northeast quarter) ; section 20, south-
 west quarter northwest quarter; section 33, lot 1
 (northeast quarter northwest quarter), lot 2 (southeast
 quarter northwest quarter), lot 3 (northeast quarter
 southeast quarter), lot 6 (southeast quarter southwest
 quarter), west half southwest quarter northeast quarter,
 west half northwest quarter southeast quarter, southwest
 quarter southeast quarter.

Township 63 north, range 5 west, Boise meridian:

Section 24, northeast quarter northeast quarter, east
 half northwest quarter northeast quarter, northeast quar-
 ter northeast quarter southwest quarter northeast quar-
 ter, northwest quarter southeast quarter northeast
 quarter, lot 2 (northeast quarter southeast quarter
 northeast quarter), lot 3 (northeast quarter southeast
 quarter southeast quarter northeast quarter).

A BILL

To extend the boundaries of the Kamiksu National Forest in the State of Idaho, and for other purposes.

By Mr. WHITE of Idaho

MARCH 3, 1965

Referred to the Committee on Interior and Insular Affairs

MAY 18, 1965

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
Washington, D. C. 20250
Official Business Postage and Fees Paid
U. S. Department of Agriculture

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued May 21, 1965
For actions of May 20, 1965
89th-1st; No. 91

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HIGHLIGHTS: See page 6

SENATE

1. DISASTER RELIEF. Concurred in the House amendments to S. 327, to provide assistance to Calif., Ore., Wash., Nev., and Idaho for the reconstruction of areas damaged by recent floods and highwaters (pp. 10726-7). This bill will now be sent to the President. See Digest 90 for a summary of provisions of this bill.

2. TOBACCO. Passed without amendment H. J. Res. 436, to permit tobacco farmers who have entered into a lease for the transfer of 1965 tobacco acreage allotments an additional 20 days after enactment of this joint resolution to file such leases with their local ASC county committee (p. 10725). This bill will now be sent to the President.
3. SOIL AND WATER CONSERVATION. Sen. Proxmire inserted a National Farmers Union policy statement supporting increased "funds for the SCS and ACP in keeping with conservation needs inventory," and expressing opposition to "the Budget Bureau proposal for Congress to authorize a revolving fund through which soil conservation districts and farmers and ranchers would pay the Federal Government a part of the costs of technical assistance." pp. 10660-1
Sen. McGee inserted an American Forests magazine editorial critical of the proposed cut in "the technical assistance program of the Soil Conservation Service by \$20 million." pp. 10665-6
4. COTTON. Sen. Yarborough criticized the proposed changes by this Department in the rules relating to skip-row planting of cotton and stated that "this is an indefensible move by the Secretary of Agriculture to curtail cotton production by using his powers to issue regulations rather than taking the proper course of coming to Congress with a new program for cotton." pp. 10689-90
5. WATER RESOURCES. Conferees were appointed on S. 1229, to provide uniform rules for the treatment of recreation and fish and wildlife benefits and costs in connection with Federal water resource projects of the Corps of Engineers and the Bureau of Reclamation (pp. 10724-5). House conferees have not yet been appointed.
6. POLLUTION. Sen. Clark inserted a series of articles on the "increasing pollution of his environment by man," including one reviewing recreational facilities in National Parks and Forests. pp. 10710-21
7. COMMITTEE ASSIGNMENTS. Assignments were made to the various subcommittees of the Post Office and Civil Service Committee. p. D427

HOUSE

8. AGRICULTURAL APPROPRIATION BILL, 1966. The Appropriations Committee reported this bill, H. R. 8370 (H. Rept. 364) (p. 10795). Attached to this Digest is a copy of the committee report which includes a summary table reflecting committee action on the bill.
9. FORESTRY. Passed with amendment S. 435, to extend the boundaries of the Kaniksu National Forest, Idaho, after substituting the text of a similar bill, H. R. 5798, which was passed earlier as reported from committee. H. R. 5798 was tabled. pp. 10740-1
10. RECREATION. The Interior and Insular Affairs Committee reported with amendment H. R. 89, to authorize establishment of the Tocks Island National Recreation Area, Pa. and N. J. (H. Rept. 360). p. 10795
11. HOUSING. Rep. Ryan commended and inserted "Statement on Federal Housing Bill of 1965 From Strycker's Bay Neighborhood Council, New York." p. 10768
12. FOREIGN AID. The Rules Committee reported a resolution for consideration of H. R. 7750, the foreign aid authorization bill. pp. 10741-2

UNTENABLE POSITION

The United States leaped into France's forcibly vacated place in Vietnam at the moment when France's debacle in Vietnam had demonstrated that colonialism had ceased to be practicable. In assuming this anachronistic role America was lending herself in an untenable position.

Today, President Johnson is willing to negotiate without making it a condition that America's opponents in Vietnam shall first stop fighting. He has, however, made it a condition that South Vietnam shall remain separate from North Vietnam, whatever the wishes of the Vietnamese people may be.

The United States also insists that South Korea shall remain separate from North Korea, and Taiwan from continental China; and, in all these three cases, the United States in enforcing her fiat by military action.

Now the imposition of the flats of Western governments by force is the humiliation that has been inflicted on the non-Western peoples during the last 200 years.

ABSOLUTE EQUALITY

When they had got rid of the European and Japanese imperialists, they thought, for a moment, that they had recovered their freedom. But now the Americans have jumped in and are dictating, in their turn, to the Asians what the Asians may or may not do, and this is infuriating them.

The only practical basis for coexistence between the non-Western majority and the Western minority of mankind is a relation of absolute equality. All Western powers, including the puissant United States, as well as feeble Portugal, will have to accept equality in the long run. The sooner they

accept it the smaller the price that they will have to pay.

If only America could see through her mirage of communism, perhaps the truth might move her to make an agonizing reappraisal of her present unrealistic policy.

ADJOURNMENT

Mr. HART. Mr. President, if there is no further business, I move, under the order of May 19, 1965, that the Senate stand in adjournment until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 25 minutes p.m.) the Senate adjourned, under the order of May 19, 1965, until Friday, May 21, 1965, at 12 o'clock meridian.

House of Representatives

THURSDAY, MAY 20, 1965

The House met at 12 o'clock noon. Rabbi Ezra M. Finkelstein, Town and Village Synagogue, New York City, offered the following prayer:

Then Daniel praised the God of the heavens. Daniel spoke, saying: *Praised be the name of God from everlasting to everlasting, for wisdom and might are His; He changes the seasons and times; He removes kings and He sets up kings; He gives wisdom to the wise and knowledge to those who are endowed with understanding; He reveals things deep and secret; He knows what is in darkness; and with Him dwells the light.*

Elohenu V-elohi Avotenu.

Our God and God of our fathers, look upon us with mercy, and graciously grant our petitions, spoken before Thee in the words of our teachers the Rabbis Elazar and Rav.

May it be Thy will, O Lord, our God, to cause to abide in our fortune love, brotherliness, peace, and friendship; to enrich our boundaries with students; to prosper our goal with hope and with future; to set us a share in paradise; to cause us to obtain good companions and good impulse in Thy world, that we may rise in the morning and find our heart longing to hear Thy name.

May it be Thy will, O Lord, our God, to grant us long life, a life of peace, of good; a life of blessing, of sustenance, of bodily vigor; a life in which there is fear of sin; a life free from shame and disgrace; a life of prosperity and honor; a life in which we may have the love of Thy teachings and a fear of heaven; a life in which Thou shalt fulfill all the wishes of our hearts for good. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1734. An act to conserve and protect domestic fishery resources.

LEGISLATIVE PROGRAM FOR THE BALANCE OF THIS WEEK AND NEXT WEEK

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of de-

termining the program for the rest of this week, and next week.

Mr. BOGGS. Mr. Speaker, as the gentleman knows, we will consider, if the rule is adopted, the atomic energy authorization today. I would hope we would complete consideration of it today. If we do, at the end of the day we hope to go over until Monday.

The program for next week is as follows:

Monday is District Day, but there are no bills from the committee.

We will call up on Monday and consider on Monday and Tuesday, H.R. 7750, the Foreign Assistance Act of 1965.

For Wednesday and the balance of the week we will call up the agricultural appropriation bill, followed by H.R. 5883, bonding provisions of Federal labor laws. This will come up under an open rule with 1 hour of general debate.

Then H.R. 3584, the Federal Coal Mine Safety Act amendments. This is under an open rule providing 2 hours of general debate.

Then H.R. 5241, amending section 20a (12) of the Interstate Commerce Act regarding interlocking directorates. This will be called up under an open rule with 1 hour of general debate.

Mr. GERALD R. FORD. The last three bills mentioned would follow the appropriation bill for the Department of Agriculture?

Mr. BOGGS. Exactly. We will take them up in that order after the appropriation bill is acted on.

Of course, conference reports may be brought up at any time.

Mr. GERALD R. FORD. Can the gentleman from Louisiana give us any guideline as to what the legislative program might be or might not be on Memorial Day weekend?

Mr. BOGGS. That is week after next. Memorial Day comes on Sunday. Monday is an official holiday. So I presume there will be no legislative business on that day, but I think we will have a full week thereafter.

SUBCOMMITTEE ON INTERNATIONAL TRADE OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Subcommittee on International Trade of the Committee on Banking and Currency may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

SUBCOMMITTEE ON IRRIGATION OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Irrigation of the Committee on Interior and Insular Affairs be permitted to sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

KANIKSU NATIONAL FOREST, IDAHO

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 5798) to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the bill, as follows:

H.R. 5798

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of authorizing appropriations from the land and water conservation fund established by section 2 of the Land and Water Conservation Fund Act of 1965 for the acquisition of lands adjacent to national forests as authorized by section 6 of such Act, the Secretary of Agriculture is authorized to acquire by exchange, purchase, or otherwise, the real property described in section 3 of this Act. Upon such acquisition the boundaries of the Kaniksu National Forest are extended to include such real property.

Sec. 2. In the acquisition of the real property described in section 3, the Secretary of Agriculture shall be guided by the following policies:

(1) He should make every reasonable effort to acquire the property by exchange or negotiated purchase.

(2) The property should be appraised by the Secretary of Agriculture before the initiation of negotiations, and the owner or his designated representative should be given an opportunity to accompany the appraiser during his inspection of the property.

(3) Before the initiation of negotiations for the property, the Secretary of Agriculture should establish a price which he believes to be a fair and reasonable consideration therefor and should make a prompt offer to acquire the property for the full amount so established. In no event should such price be less than the appraised fair value of such property, as determined by the Secretary.

Sec. 3. The real property authorized to be acquired under authority of this Act is more particularly described as follows:

Township 63 north, range 4 west, Boise meridian:

Section 18, southeast quarter southeast quarter; section 19, northeast quarter northeast quarter; section 20, southwest quarter northwest quarter; section 33, lot 1 (northeast quarter northwest quarter), lot 2 (southeast quarter northwest quarter), lot 3 (northeast quarter southeast quarter), lot 6 (southeast quarter southwest quarter), west half southwest quarter northeast quarter, west half northwest quarter southeast quarter, southwest quarter southeast quarter.

Township 63 north, range 5 west, Boise meridian:

Section 24, northeast quarter northeast quarter, east half northwest quarter northeast quarter, northeast quarter northeast quarter southwest quarter northeast quarter, northwest quarter southeast quarter northeast quarter, lot 2 (northeast quarter southeast quarter northeast quarter), lot 3 (northeast quarter southeast quarter southwest quarter northeast quarter).

With the following committee amendments:

Page 1, lines 3 to 7 inclusive, strike out "for the purpose of authorizing appropriations from the land and water conservation fund established by section 2 of the Land and Water Conservation Fund Act of 1965 for the acquisition of lands adjacent to national forests as authorized by section 6 of such Act."

Page 2, line 5, strike out "exchange or".

Page 2, line 7, after "appraised" insert "at its fair market value".

Page 2, line 11, strike out "his" and insert "an".

Page 2, lines 12 to 19 inclusive, strike out all of paragraph (3).

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 435) to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

S. 435

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to promote protection and conservation of the outstanding scenic values and natural environment of Upper Priest Lake in Idaho and lands adjacent thereto for public use and enjoyment, the boundaries of the Kaniksu National Forest are hereby extended to include those of the lands hereinafter described which are not now within such boundaries. In order that they may be managed under the principles of multiple use and sustained yield, the Secretary of Agriculture is hereby authorized to acquire the following lands at their fair market value:

Township 63 north, range 4 west, Boise meridian:

section 18, southeast quarter southeast quarter;

section 19, northeast quarter northeast quarter, lot 3 (southeast quarter northeast quarter);

section 20, southwest quarter northwest quarter;

section 33, lot 1 (northeast quarter northwest quarter), lot 2 (southeast quarter northwest quarter), lot 3 (northeast quarter southeast quarter), lot 6 (southeast quarter southwest quarter), west half southwest quarter northeast quarter, west half northwest quarter southeast quarter, southwest quarter southeast quarter.

Township 63 north, range 5 west, Boise meridian:

section 24, northeast quarter northeast quarter, east half northwest quarter northeast quarter, northeast quarter northeast quarter southwest quarter northeast quarter, northwest quarter southeast quarter northeast quarter, lot 2 (northeast quarter southeast quarter northeast quarter), lot 3 (northeast quarter southeast quarter southwest quarter northeast quarter).

SEC. 2. There are hereby authorized to be appropriated not to exceed \$500,000 to carry out the purposes of this Act.

AMENDMENT BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Strike out all after the enacting clause, and insert the provisions of H.R. 5798, as passed by the House.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed.

A similar House bill (H.R. 5798) was laid on the table.

A motion to reconsider was laid on the table.

(Mr. WHITE of Idaho (at the request of Mr. ASPINALL) was granted permission to extend his remarks at this point in the RECORD.)

Mr. WHITE of Idaho. Mr. Speaker, I speak today on behalf of the preservation of Upper Priest Lake in Bonner County, Idaho, unquestionably one of the most remote and beautiful bodies of water in the Nation. And there is urgency in my message.

H.R. 5798, a bill that would seal off the lake from private development and protect this scenic gem in its unspoiled forest setting, must become law before this month ends, or the lake's shoreline will be subject to subdivision and commercial development.

In its present state, Upper Priest Lake can be reached only by boat and is surrounded by State and federally owned land, including the Kaniksu National Forest. I believe it is in the public interest that the 417 acres of private land involved be made a part of the national forest through negotiated purchases, as provided in H.R. 5798.

It has been only through the intervention of a national semiscientific organization, Nature Conservancy, that subdivision of a 140-acre parcel of private land for cabin sites has been delayed. This organization provided a loan to the owners to buy a year's time in which to save the lake. This period of grace is nearly over, and because of this, Mr. Speaker, I request that the membership be allowed to pass H.R. 5798 by unanimous consent.

COMITTEE ON BANKING AND CURRENCY

Mr. PATMAN. Mr. Speaker, on yesterday I asked unanimous consent that the Committee on Banking and Currency

may have until midnight on Saturday to file a report on H.R. 9874, the housing bill. The bill number I used in this request was an error. Therefore I renew the request and ask unanimous consent that the Committee on Banking and Currency may have until midnight Saturday to file a report on the bill H.R. 7984, the Housing and Redevelopment Act of 1965.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Missouri makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 103]

Adams	Grabowski	Nix
Andrews	Griffin	Pelly
George W.	Halleck	Powell
Andrews,	Hansen, Iowa	Price
N. Dak.	Hansen, Wash.	Race
Baring	Harvey, Ind.	Resnick
Battin	Harvey, Mich.	Roberts
Blatnik	Hébert	Ronan
Bonner	Holland	Roncallo
Brown, Ohio	Jacobs	Schmidhauser
Callan	Johnson, Calif.	Selden
Callaway	Kluczynski	Shiple
Clark	Landrum	Slickles
Clausen,	Lindsay	Smith, N.Y.
Don H.	Long, Md.	Stafford
Culver	McMillan	Teague, Tex.
Curtis	Mackay	Thomson, Wls.
Diggs	Martin, Ala.	Todd
Dole	Martin, Mass.	Toll
Flood	Martin, Nebr.	Tupper
Fogarty	Mathias	Watkins
Foley	Morrison	Willis
Fraser	Morton	Yates

On this rollcall 368 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FOREIGN ASSISTANCE ACT OF 1961

Mr. YOUNG. Mr. Speaker, on behalf of Mr. MADDEN of the Committee on Rules, reported the following privileged resolution (H. Res. 395, Report 359) which was referred to the House Calendar and ordered to be printed:

H. RES. 395

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7750) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as

ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AUTHORIZING APPROPRIATIONS FOR THE ATOMIC ENERGY COM- MISSION FOR FISCAL YEAR 1966

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 394, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 394

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8122) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN] and pending that, I yield myself such time as I may consume.

(Mr. YOUNG asked and was given permission to revise and extend his remarks.)

Mr. YOUNG. Mr. Speaker, House Resolution 394 provides for consideration of H.R. 8122, a bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes. The resolution provides an open rule, waiving points of order, with 2 hours of general debate.

As originally submitted to Congress, the Atomic Energy Commission's request called for a total authorization of \$2,592,035,000 for fiscal year 1966.

H.R. 8122 authorizes a total of \$2,555,521,000—\$2,260,776,000 for operating expenses and \$294,745,000 for plant and capital equipment—for the Commission for fiscal year 1966—a difference of \$36,514,000.

In addition, the bill would authorize the AEC to enter into two new cooperative arrangements with organizations outside the Federal Government for construction and operation of nuclear powerplants embodying advanced concepts. Included within the total amount, this bill would authorize to be appropriated to the AEC is the sum of \$132,363,000, which the AEC could utilize for these cooperative arrangements. The bill would also authorize AEC to waive use charges on leased special nuclear material for one project in an amount estimated to be \$6,445,000, and to purchase uranium enriched in the isotope 233 produced under the arrangement.

There is a provision in the bill rescinding prior year authorizations for five projects amounting to \$60,955,000, exclusive of waiver of use charges. No additional funding is provided for these projects unless justification is subsequently resubmitted to Congress and new authorization provided.

Mr. Speaker, I urge the adoption of House Resolution 394.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks.)

Mr. QUILLEN. Mr. Speaker, we are considering House Resolution 394, which will permit consideration of H.R. 8122, to authorize appropriations to the Atomic Energy Commission. A 2-hour open rule is requested, waiving points of order. I am in support of the rule.

H.R. 8122 authorizes appropriations for the Atomic Energy Commission for the fiscal 1966 of \$2,555,521,000.

It also authorizes the AEC to begin two civilian cooperative power reactor projects which are to utilize a so-far-unused source of energy.

Of the authorization, \$2,260,776,000 is for operating expenses and \$294,745,000 is for the plant and capital equipment expenditures.

Great progress is being made by the AEC in harnessing atomic power for peaceful uses.

Under section 106 of the bill, authorization is given to the Commission to enter into a cooperative project with a State, its departments and agencies, or with privately, publicly, or cooperatively owned utilities or industrial organizations, for participation in the research and development, design, construction and operation of a thorium seed-blanket nuclear power plant.

Section 107 of the bill would give authorization to the Commission to contract with a utility or group of utilities and an equipment manufacturer or other industrial organization for participation in the research and development, design, construction and operation of a high-temperature gas-cooled nuclear powerplant.

Under this section—107—the Public Service Co. of Colorado plans such a plant in its system. I am advised by the committee that this electric utility system would spend approximately \$45 million, which will purchase the power factor from the AEC manufacturing unit.

The Government authorization is \$47,306,000 making a total estimated cost for this project of some \$92,306,000.

Under section 106, an agreement is under consideration for construction by the State of California to supply power to pump water for the State's water supply project. I am advised that the State of California's estimated participation is \$80 million, of which \$40 million will go toward reactor costs and the remainder toward normal plant construction. The Government authorization is \$91.5 million, for a total of \$171.5 million.

What payments or other charges are contemplated in the future by companies which then desire to obtain the patent information derived from these coopera-

tive programs? The answer, as I understand it, is that no payments are to be made. The Government owns the patent rights to all patents developed under the cooperative program, even those traceable to the private participant. The Government policy is to make all such information available free of charge to other companies. Once the process is developed, the patents are available to all interested parties.

In Tennessee we are fortunate to have the Oak Ridge project of the Atomic Energy Commission. It has meant much to the State of Tennessee. Although it is not in my district, it is in the district of my good friend and colleague, the gentleman from the second district of Tennessee, JOHN J. DUNCAN. It performs a very worthwhile service, as I am sure the other agencies and operations of this Commission do throughout the United States.

Mr. Speaker, I urge the adoption of the rule. Reserving the remainder of my time, I have no further requests for time.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. QUILLEN. I am glad to yield to the gentleman from Missouri.

Mr. HALL. I wonder if the gentleman on the Rules Committee or the gentleman who brought the rule to the floor of the House today will explain for the benefit of the House, why all points of order are to be waived under this rule, House Resolution 394.

Mr. QUILLEN. Mr. Speaker, I will be glad to explain to the gentleman. As I understand, the restrictive language in section 103, on page 7 of the bill, makes the waiver necessary. It reads as follows:

(1) such construction project has been included in a proposed authorization bill transmitted to the Congress by the Commission and (2) the Commission determines that the project is of such urgency that construction of the project should be initiated promptly upon enactment of legislation appropriating funds for its construction.

As I understand it, the waiving of the points of order was necessary in a time of national crisis and urgency for the Commission to commence construction of a necessary project immediately, without authorization by the Congress.

Mr. HALL. In other words, the gentleman is saying that this is an authorization for an immediate start on this particular construction because of a national emergency?

Mr. QUILLEN. Crisis or urgency. Yes.

Mr. HALL. I thank the gentleman.

Mr. YOUNG. Mr. Speaker, I move the previous question.

The previous question was ordered.
The resolution was agreed to.

AUTHORIZING APPROPRIATIONS FOR THE AEC 1966

Mr. HOLIFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8122) to authorize appropriations to the Atomic Energy Commission in accordance with section

Digest of CONGRESSIONAL PROCEEDINGS

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

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HIGHLIGHTS: Senate passed public-works economic-development bill. Senate committee voted to report International Wheat Agreement. Sen. Pearson asked solution of freight-car shortage to transport new wheat crop, etc. Rep. Redlin expressed concern over "suggested importation" to Canada of livestock from foot-and-mouth disease countries. Rep. Talcott criticized farm labor situation. Rep. Philbin commended USDA's efforts to eliminate surpluses and questioned some provisions of farm bill.

SENATE

1. PUBLIC WORKS; ECONOMIC DEVELOPMENT. Passed, 71-12, with amendments S. 1648, the proposed Public Works and Economic Development Act of 1965. Agreed to the Moss amendment providing that unless there is substantial reason to the contrary the extension of financial aid pursuant to title I (grants for public works and development facilities) and title II (other financial assistance) shall be to State political subdivisions rather than to a private or public nonprofit organization. Rejected, 31-53, the Cooper amendment to reduce from \$400 million to \$325 million the authorization for fiscal year 1966 and each year thereafter through 1970. pp. 11692, 11720-55

2. WHEAT. The "Daily Digest" states that the Foreign Relations Committee "approved protocol for the extension of the International Wheat Agreement of 1962." p. D464

3. FORESTRY. Concurred in the House amendment to S. 435, to extend the boundaries of the Kaniksu National Forest, Idaho. This bill will now be sent to the President. pp. 11756-7
4. DAYLIGHT SAVING. The Commerce Committee reported with amendments S. 1404, to establish uniform dates throughout the U. S. for commencing and ending daylight saving time in those States and local jurisdictions where it is observed (S. Rept. 268). p. 11683
5. TRANSPORTATION. Sen. Pearson asked that the freight-car shortage be solved, mentioning especially the need to transport the new wheat crop, and inserted an article on this subject. pp. 11708-9
6. ELECTRIFICATION. Received from REA a report on a loan to the East River Electric Power Cooperative, Inc., of Madison, S. Dak. p. 11680
7. DAIRY PRICE SUPPORTS. Received from the Comptroller General a report on "additional costs incurred under the dairy products price-support program by purchasing butter outside the general areas of production." pp. 11680-1
with amendment
8. VETERANS' BENEFITS. The Labor and Public Welfare Committee reported/S. 9, to give cold war veterans educational and home-loan benefits similar to those for World War II veterans (S. Rept. 269). p. 11683
9. PERSONNEL; EXPENDITURES. Sen. Byrd, Va., inserted a report on Federal employment and pay from the Joint Committee on Reduction of Nonessential Federal Expenditures. pp. 11684-8
10. FOREIGN AID. Sen. Gruening inserted and discussed several proposed amendments to S. 1837, the foreign aid authorization bill. pp. 11690-2
Both Houses received the President's message recommending aid for Southeast Asia (H. Doc. 196); to Senate Foreign Relations Committee and House Committee of Whole. pp. 11768-9, 11663-4
11. FOREIGN CURRENCIES. Sen. Byrd, Va., inserted a report from the Treasury on "Utilization of U. S. Government Foreign Currency Balances" pp. 11712-14

HOUSE

12. EXPORT CONTROL. The Banking and Currency Committee reported with amendment H. R. 7105, to continue the Export Control Act (H. Rept. 434). p. 11676
13. TAXATION. The Rules Committee reported a resolution for the consideration of H. R. 8371, to reduce excise taxes. p. 11676
Rep. Curtis inserted excerpts from the executive session of the Ways and Means Committee on the subject of excise tax reduction. pp. 11641-5
Received a Mass. Legislature memorial "relative to the retention of Federal excise taxes and to distribute the proceeds thereof to the individual States in the proportion of amounts collected from each individual State." p. 11677
14. PUBLIC DEBT. The Ways and Means Committee reported without amendment H. R. 8464, to provide for a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act (H. Rept. 438). p. 11676

for new and streamlined redevelopment for distressed areas. In addition to providing more effective help to areas with high unemployment, it will also help communities hard hit by defense installations shutdowns and plant closures.

The bill embraces most of the recommendations made last year by the subcommittee of which I am chairman, the Subcommittee on Unemployment and Manpower of the Committee on Labor and Public Welfare.

It includes provisions for making Federal economic aid available to nondistressed communities faced by imminent closure of a defense installation. Many such communities, such as the Greater Harrisburg area in my own State, are not presently eligible for such assistance. With this assistance now available, a full kit of planning, technical, and financial aid will be available to help Greater Harrisburg adjust to the impact of the closure of the Olmsted Air Force Base when and if it comes.

The bill includes another of our subcommittee recommendations by permitting groups of counties or even groups of States to band together, pool their resources and launch a broad-scale attack on their economic problems. Experience has demonstrated how difficult it is for each separate county—hobbled by little money and little manpower—to rebuild its economy.

Congress has already passed another of our recommendations by consolidating the old area redevelopment retraining programs with the Manpower Development and Training Act, thus cutting red-tape to a minimum.

Finally, the bill is in closer accord with our subcommittee findings on the need for public works assistance in distressed areas than the original administration request. It has increased the authorization for public works grants from \$250 to \$400 million. This is much closer to the \$470 million backlog of already approved but unfunded projects filed by distressed communities under the old Accelerated Public Works program.

In Pennsylvania alone, we have an \$88 million backlog of approved community public works in distressed communities awaiting funds. This includes \$12 million for hospitals, \$10 million for water lines, \$30 million for sewers and sewage treatment facilities, and \$17 million for streets and roads.

AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 175, H.R. 7717.

The PRESIDING OFFICER (Mr. Bass in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 7717) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and adminis-

trative operations, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Aeronautical and Space Sciences with amendments on page 1, at the beginning of line 5, to strike out "\$5,183,844,850" and insert "\$5,196,826,350"; in line 3, after the word "astronomy", to strike out "\$4,537,121,000" and insert "\$4,533,350,000"; on page 2, line 1, after the word "Apollo", to strike out "\$2,967,385,000" and insert "\$2,973,385,000"; in line 3, after the word "astronomy", to strike out "\$160,500,000" and insert "\$165,900,000"; in line 12, after the word "development", to strike out "\$60,600,000" and insert "\$63,600,000"; in line 14, after the word "procurement", to strike out "\$179,500,000" and insert "\$178,700,000"; in line 20 after the word "systems", to strike out "\$33,000,000" and insert "\$27,000,000"; in line 24, after the word "propulsion", to strike out "\$51,200,000" and insert "\$36,200,000"; on page 3, line 2, after the word "acquisition", to strike out "\$242,321,000" and insert "\$246,200,000"; in line 5, after the word "utilization", to strike out "\$5,000,000" and insert "\$4,750,000"; in line 8, after the word "acquisitions", to strike out "\$60,675,000" and insert "\$67,376,350"; after line 10, to insert:

(2) Electronics Research Center, Cambridge, Massachusetts, \$10,000,000;

At the beginning of line 13, to strike out "(2)" and insert "(3)"; at the beginning of line 15, to strike out "(3)" and insert "(4)"; in line 16, after the word "Florida", to strike out "\$7,854,400" and insert "\$8,195,000"; at the beginning of line 17, to strike out "(4)" and insert "(5)"; at the beginning of line 19, to strike out "(5)" and insert "(6)"; at the beginning of line 21, to strike out "(6)" and insert "(7)"; in line 22, after the word "Texas", to strike out "\$3,953,300" and insert "\$4,180,000"; at the beginning of line 23, to strike out "(7)" and insert "(8)"; in line 24, after the word "Alabama", to strike out "\$4,291,100" and insert "\$2,309,450"; on page 4, at the beginning of line 1, to strike out "(8)" and insert "(9)"; in line 2, after the word "Louisiana", to strike out "\$269,500" and insert "\$284,750"; at the beginning of line 3, to strike out "(9)" and insert "(10)"; in line 4, to strike out "\$1,905,600" and insert "\$1,910,450"; at the beginning of line 5, to strike out "(10)" and insert "(11)"; at the beginning of line 7, to strike out "(11)" and insert "(12)"; in the same line, after the word "locations", to strike out "\$19,871,400" and insert "\$20,182,700"; at the beginning of line 9, to strike out "(12)" and insert "(13)"; in line 10, after the word "for", to strike out "\$7,215,700" and insert "\$5,000,000"; in line 11, after the word "operations", to strike out "\$586,048,850" and insert "\$596,100,000"; on page 5, line 15, after the numeral "(2)", to strike out "contracts may be entered into under the 'Administrative operations' appropriation for maintenance and operation of facilities,

and for other services, to be provided during the fiscal year following that for which the appropriation is made" and insert "maintenance and operation of facilities, and support services contracts may be entered into under the 'Administrative operations' appropriation for periods not in excess of twelve months beginning at any time during the fiscal year"; on page 6, line 22, after the numeral "(10)", to strike out "and"; in the same line, after the numeral "(11)", to insert a comma and "and (12)"; on page 7, line 2, after the word "of", to strike out "\$53,459,300" and insert "\$62,376,350"; and on page 9, line 12, after "Sec. 5.", to strike out "It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds on a geographical basis whenever feasible and use such other measures as may be practicable toward this end" and insert "It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible".

SEVENTEENTH INTERNATIONAL PUBLISHERS CONGRESS

Mr. JAVITS. Mr. President, on September 20, 1963, the distinguished chairman of the Foreign Relations Committee [Mr. FULBRIGHT], together with the then Senator HUMPHREY and Senators CLARK, DIRKSEN, ERVIN, HICKENLOOPER, JORDAN of North Carolina, Keating, KUCHEL, SALTONSTALL, SCOTT, and myself, introduced a resolution (S.J. Res. 120) extending an official welcome to the book and music publishers from some 40 countries throughout the world who would attend the 17th Congress of the International Publishers Association in Washington, D.C., from May 30 to June 5, 1965. This resolution was passed by the Senate on February 7, 1964, passed by the House of Representatives on April 6, 1964, and enacted into law on April 17, 1964.

This week, the 17th International Publishers Congress is meeting in Washington, D.C., under the sponsorship of the American Book Publishers' Council, Inc., and Music Publishers Association, Inc., in what will hopefully be a fruitful exchange of ideas and the basis for warm and lasting relationships. The meeting marks the first time in its 70-year history that the International Publishers Association will have conducted its meeting in the United States. It is attended by approximately 800 publishers from the United States and abroad. I believe I speak for the sponsors of that measure and many other of my colleagues in extending a warm welcome to the publishers from abroad. I take particular pride in expressing these words of welcome in

view of the fact that the State of New York, which I have the honor of representing, is considered by many to be the publishing center of the world and has contributed greatly to the development of publishing.

MAY 1—LAW DAY, U.S.A.

Mr. KUCHEL. Mr. President, the lawyers of America have undertaken a public service in sponsoring May 1 as Law Day, U.S.A. In a recent issue of the Los Angeles, Calif. Bar Bulletin, the distinguished president of the Los Angeles County Bar Association, Mr. Edward S. Shattuck, wrote an excellent article describing what May Day, U.S.A., means to every American, under the Constitution, and contrasted it with what May Day means to communism, on the other side of the Iron Curtain.

I commend the article to the reading of all Senators, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MAY 1—LAW DAY, U.S.A.

(By Edward S. Shattuck)

May 1 is Law Day, U.S.A. What will it mean to the American people in this year 1965? What will be its impact upon citizens of other nations around the world? Can and should the lawyers of the United States lead a determined effort to make this year's Law Day purposeful and effective both at home and abroad? These are questions I have asked myself over and over again and, with your indulgence, I would now like you to share my thoughts and conclusions.

May 1 has long been a day set aside by Communist nations for bringing forth their armed might and parading it before the world. It has been a day when Communist dictators have wantonly indulged themselves and their people in excessive abuses to our country, falsely proclaiming us to be imperialists and aggressors.

In this posture of May 1, the American Bar Association suggested that we offset this bawdy demonstration of the Communist world by declaring through the President of the United States that May 1 each year should be set aside as Law Day, U.S.A. Throughout the land we should utilize it to give recognition and thanks for our government of the people, by the people, and for the people—a government of law and not of men—a government by our duly elected representatives, not a government imposed upon us by self-appointed dictators. In this manner—so we reasoned—we would call attention of peoples all over the world to the contrast between citizens living in our Nation under the Constitution of the United States guaranteeing the individual rights of every person, and the citizens living under Communist regimes where individual rights depend upon the whims of the dictators of the moment.

Will May 1, 1965, utilized for this purpose in the United States ring true in the minds and hearts of our own people? Will it create the worldwide image of contrast between our people and people in Communist nations—the objective of Law Day, U.S.A.? I have concluded that the answer depends upon what action is taken by the lawyers of America—the very ones who conceived of Law Day, U.S.A. in the first place.

On March 16, 1965, the President of the United States, addressing a joint session of Congress, stated the issue we must face on Law Day in these eloquent and simple words: "This was the first Nation in the history of the world to be founded with a purpose.

The great phrases of that purpose are still found in every American heart, North and South: 'All men are created equal'—'Government by consent of the governed'—'Give me liberty or give me death.' Those are not just clever words or empty theories. In their name American have fought and died for two centuries and today are risking their lives.

"Those words are a promise to every citizen that he shall share in the dignity of man. This dignity cannot be found in a man's possessions or his power or his position. It rests on his right to be treated as a man equal in opportunity to all others. It says that he shall share in freedom, choose his leaders, educate his children, provide for his family according to his ability and merits as a human being.

"To apply any other test—to deny a man his hopes because of his color or race, his religion or the place of his birth—is not only to do injustice, it is to deny America and to dishonor the dead who gave their lives for freedom."

The President was addressing himself primarily to the fact that we have not carried out the clear mandate of the 15th amendment to our own Constitution because we, in some instances, have denied American citizens the right to vote in the selection of their leaders. The challenge of his speech went much deeper. It said what should be and, in most cases, is in the mind and heart of every American citizen. The time for universal justice for every person in our Nation is now. The time to end forever bigotry, intolerance, and discrimination in America is now.

Universal justice, the end to bigotry, intolerance, and discrimination, which must come unless we are to sound like hypocrites before world opinion, cannot be accomplished by laws alone. Laws will help, as they always do when a few people resist the unalienable rights of others. The real challenge, however, is to arouse our conscience and to implant a determination in the heart and mind of every American that in his day-to-day life and in every way within his power he shall seek justice for every American and do not act which may be rooted in bigotry or intolerance or that could result in discrimination.

If Law Day, U.S.A. in 1965 is to ring true to our own people at home and to the people abroad, we as lawyers must use our inherent ability to speak and write by reiterating publicly in speeches and privately in correspondence our belief in the great purpose of our country. We must let the people know that our learned profession believes deeply that all men are created equal, are entitled to equal opportunity and must always stand equal before the bar of justice. We must be willing and anxious, at every opportunity, to defend the rights of Americans, all Americans, to vote, to the equal protection of law, to petition the Government, to peaceably assemble, to pray in private or in public, and to exercise fully every other right preserved by the U.S. Constitution. We must have the courage to insist on these rights being recognized and at the same time, to insist that we and those we seek to help, who are demonstrating, do so in a lawful manner.

Cannot the members of the bar be effective in this fight for freedom for all? In these turbulent days in which we live, cannot lawyers put their full strength back of the wheel which is now in motion? I am sure we can and we must if Law Day, U.S.A. in 1965 is going to be impressive either at home or abroad.

So, what can we do? As individual lawyers we can write letters all over the country. At the time of the American Revolution, and again when the great moral issue of slavery confronted our Nation, and during this century, when we were called upon

to defend liberty throughout the world, lawyers exchanged letters with each other and wrote profusely to their laymen friends espousing the cause of freedom. If everyone of our 6,000 members wrote 10 such letters before May 1, 1965, and asked every person to whom he wrote to do the same, the Los Angeles County Bar Association alone would reach 600,000 people. Will you do it?

Will you also seize on every opportunity to speak out? Lawyers are eloquent. Speak out among your neighbors, at social gatherings and in public addresses. Give the leadership to public opinion. Our knowledge of history and law is respected by our neighbors, friends and the public. We have a unique influence because of our education and our professional standing.

Finally, I have proposed to the board of trustees—I hope that by the time this reaches print the Board will have approved—that the Los Angeles County Bar Association ask every major bar association in America to join us in this "lawyers' crusade for freedom."

A fire has been kindled by the President. Can we make Law Day, U.S.A. in 1965 purposeful and effective so the flame will heighten and the fire will spread? I know we can and I believe we will.

EXTENSION OF BOUNDARIES OF THE KANIKSU NATIONAL FOREST, IDAHO

Mr. CHURCH. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 435.

The PRESIDING OFFICER (Mr. BASS in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 435) to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes, which was, to strike out all after the enacting clause and insert:

That, the Secretary of Agriculture is authorized to acquire by exchange, purchase, or otherwise, the real property described in section 3 of this Act. Upon such acquisition the boundaries of the Kaniksu National Forest are extended to include such real property.

SEC. 2. In the acquisition of the real property described in section 3, the Secretary of Agriculture shall be guided by the following policies:

(1) He should make every reasonable effort to acquire the property by negotiated purchase.

(2) The property should be appraised at its fair market value by the Secretary of Agriculture before the initiation of negotiations, and the owner or his designated representative should be given an opportunity to accompany the appraiser during an inspection of the property.

SEC. 3. The real property authorized to be acquired under authority of this Act is more particularly described as follows:

Township 63 north, range 4 west, Boise meridian:

Section 18, southeast quarter southeast quarter; section 19, northeast quarter northeast quarter, lot 3 (southeast quarter northeast quarter); section 20, southwest quarter northwest quarter; section 33, lot 1 (northeast quarter northwest quarter), lot 2 (southeast quarter northwest quarter), lot 3 (northeast quarter southeast quarter), lot 6 (southeast quarter southwest quarter), west half southwest quarter northeast quarter, west half northwest quarter southeast quarter, southwest quarter southeast quarter.

Township 63 north, range 5 west, Boise meridian:

Section 24, northeast quarter northeast quarter, east half northwest quarter northeast quarter, northeast quarter northeast quarter southwest quarter northeast quarter, northwest quarter southeast quarter northeast quarter, lot 2 (northeast quarter southeast quarter northeast quarter), lot 3 (northeast quarter southeast quarter southeast quarter northeast quarter).

Mr. CHURCH. Mr. President, on my own behalf and on behalf of my colleague from Idaho [Mr. JORDAN], I move that the Senate concur in the amendment of the House.

The motion was agreed to.

URGENT NEED FOR ECONOMIC POLICY: STATISTICS ON JOB VACANCIES

Mr. PROXMIER. Mr. President, a question that has concerned many economists and businessmen is the failure of the Federal Government to provide statistics on job vacancies. Unemployment statistics are vital ingredients of many Federal policies. But unemployment figures should be balanced with accurate, reliable, authoritative figures from the Federal Government to show what jobs are available for the unemployed.

The National Industrial Conference Board has taken up this issue recently and has made a interesting interim report. The conference board points out that, until quite recently, practically no information on this subject was available for the United States, while in most developed countries of the world it is available.

The conference board reports on an intensive study of Monroe County, N.Y., which includes the Rochester area. The board chose this area because it desired to ascertain what the job vacancy rate was in a county with a tight labor market. They found that the job vacancy rate was about 3 percent of employment. Unemployment was about 2.7 percent. Therefore, by their definition of vacancy rate vacancies exceeded unemployment in Monroe County during the period of investigation they chose.

However, they point out that vacancies included some jobs that would not be available for several months. So they made another comparison, which they felt would be valid for some purposes, for what may be called the immediate job vacancy rate. Here they found that unemployment was 2.7 percent, while the immediate job vacancy rate was 1.9 percent. This makes an interesting comparison. I think both statistics are useful for analysis.

Furthermore, they compared the unemployment rate and the vacancy rate with respect to unfilled job openings as shown in the files of the U.S. Employment Service, which many people believe might serve as a good measure of job vacancies.

Their comprehensive investigation disclosed that unfilled jobs listed in the U.S. Employment Service covered only one-

eighth of the vacancies, following their comprehensive survey of the entire county.

I should like to read the concluding sentence of their report, because I believe it is highly appropriate:

Our experience with these surveys has led us to the tentative conclusion that the collection of job vacancy statistics is a feasible operation when the information is obtained by interview and the groundwork in the community has been carefully prepared. Employers were cooperative in almost all cases and readily understood the concepts and definitions. A preliminary analysis of the results indicates that they are reasonable and consistent with other information. Our final judgment, however, must wait upon the results of the two additional sample surveys in Monroe County, one in May, and the other in August 1965.

Mr. President, I ask unanimous consent that this brief article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Conference Board Record, May 1965]

CAN YOU MEASURE JOB VACANCIES?

(NOTE.—Unfilled job openings totaled nearly 8,000 in Monroe County, N.Y., in mid-February. A sample survey conducted by the conference board revealed large numbers of vacancies in professional occupations and in semiskilled jobs. Employers required at least a high school diploma for most jobs but were willing to accept persons with no related experience in more than half of the cases studied. Vacancies were found in all industries surveyed; they were most common in durable manufacturing and education. The survey, which covered 401 employers, will be repeated twice this year.)

Many questions have been posed in recent years about the number and characteristics of unfilled job vacancies in the United States. The great interest in this subject has been evidenced by articles in business and trade journals, statements of businessmen and public officials, and in congressional hearings. Until quite recently, however, practically no information was available on this subject for the United States. This is in contrast with most other developed nations, where data on unfilled vacancies are collected and published regularly.

About 1 year ago, the conference board undertook a study of the feasibility of collecting job vacancy statistics. The study is to continue for 18 months and is financed by a grant from the Ford Foundation. The area chosen for field work is Monroe County, N.Y., which was coextensive, until this year, with the Rochester standard metropolitan statistical area and the Rochester labor market area. Among the reasons for selecting the Rochester area is the low unemployment rate that has characterized the area for several years. That is, it has been considered either a "tight" labor market or one in balance. This in turn suggests the existence of a significant number of unfilled job openings. Our plans call for three surveys during 1965. This is a progress report based on the first of these surveys.

A series of probing interviews conducted during the fall of 1964 provided the basis for our first sample survey, conducted last February. Information on job vacancies and

employment was obtained from 401 employers in the area. Almost all employers were contacted by personal visit and the information transcribed on the spot. The survey covered all branches of industry except agriculture and private households. A job vacancy was defined in our survey as an unfilled job opening, present or anticipated, for which the employer was actively recruiting an employee, on February 12, from outside his organization. Openings which the employer expected to fill by transfer or promotion of persons already working in the organization were excluded. Job vacancies include full time, part time, permanent, and temporary openings. "Actively recruiting" includes requests to employment agencies, public and private, newspaper, advertising, interviewing walk-in applicants, etc. Workers on layoff were not included.

There were nearly 8,000 job vacancies in Monroe County on February 12. About 5,000 of these, or 62 percent, were for immediate starting, the balance were for jobs to start at later dates, ranging through January 1966. There was a large concentration of jobs (over 1,000), with starting dates in September; these were almost entirely connected with education and they reflect the beginning of the new school year.

Starting date	Number of job vacancies	Percent distribution of job vacancies
Immediately (Feb. 12).....	4,989	62.4
Later in February.....	328	4.1
March.....	306	3.8
April.....	1,479	6.0
May.....	1,569	7.1
June.....	125	1.6
July.....	126	1.6
August.....	11	0
September.....	1,066	13.3
January 1966.....	12	0
Total.....	7,991	100.0

¹ Statistically unreliable.

Corresponding to the finding of 8,000 job vacancies is a total employment figure of 260,000. As shown in table 1, 33 large employers, each with total employment of 1,000 or more, accounted for 39 percent of total vacancies. Very small employers, each with total employment below 10 persons, accounted for another 16 percent.

The "vacancy rate," defined as the number of job vacancies divided by vacancies plus total employment, is a measure analogous to the unemployment rate. The vacancy rate relates vacancies to total labor demand (persons currently employed plus additional persons sought), while the unemployment rate relates the unemployed to total labor supply (employed plus those seeking work). In Monroe County, we estimate the vacancy rate at 3 percent in February. This figure permits a rough comparison to an unemployment rate of 2.7 percent in the area (without seasonal adjustment for the midweek of February), as estimated by the Division of Employment of the New York State Department of Labor.¹

¹ "Rochester Labor Market Newsletter," March 1965. The unemployment rate estimate includes agricultural and household workers; the industrial coverage is, therefore, somewhat different from that of the NICB survey. The comparable unemployment rate for the United States for February is 5.7 percent (without seasonal adjustment).

TABLE 1.—Employment size—Job vacancies, number of employers, and total employment by employment size

Employment size	Number of employers interviewed	Estimated			Standard error of number of vacancies	Vacancy rate (V as percent of E+V)	Percent distribution of total number of vacancies
		Number of employers	Employment (E)	Number of vacancies (V)			
0 to 9.....	108	9,526	29,874	1,270	315.00	4.08	15.9
10 to 19.....	41	1,092	14,536	380	103.00	2.64	4.8
20 to 49.....	51	710	19,892	722	107.00	3.60	9.0
50 to 99.....	38	237	16,338	672	71.70	3.95	8.4
100 to 249.....	47	156	22,416	579	44.20	2.52	7.2
250 to 999.....	83	87	43,705	1,254	6.48	2.79	15.7
1,000 to 2,499.....	20	20	30,237	599	0	1.94	7.5
2,500 and over.....	13	13	81,637	2,515	0	2.99	31.5
Total, Monroe County.....	401	11,841	258,635	7,991	358.00	3.00	100.0

TABLE 2.—Industry group—Job vacancies, number of employers, and total employment by industry group

Industry group	Number of employers interviewed	Estimated			Standard error of number of vacancies	Vacancy rate (V as percent of E+V)	Percent distribution of number of vacancies
		Number of employers	Employment (E)	Number of vacancies (V)			
Durable manufacturing.....	66	460	94,644	2,537	83.60	2.61	31.7
Machinery (except electrical).....	15	107	10,803	407	50.70	3.63	5.1
Photographic, optical, and instruments.....	17	173	52,874	1,585	20.60	2.91	19.8
Other durable goods.....	34	180	30,967	545	62.20	1.73	6.8
Nondurable manufacturing.....	48	623	25,458	408	10.40	1.58	5.1
Food products.....	19	253	8,048	63	3.46	.78	.8
Printing and publishing.....	10	220	5,225	28	0	.63	.4
Other nondurable goods.....	19	150	12,185	317	9.80	2.54	4.0
Construction.....	28	1,347	11,536	966	183.00	7.73	12.1
Building construction.....	11	507	5,044	408	95.40	7.48	5.1
Other.....	17	840	6,492	558	156.00	7.91	7.0
Public utilities and transportation.....	15	405	10,027	1,408	201.00	3.91	5.1
Trade, retail and wholesale.....	103	2,678	43,317	1,010	143.00	2.27	12.6
Retail:							
General merchandise.....	12	283	9,333	97	6.48	1.03	1.2
Food.....	10	269	4,910	47	6.00	.95	.6
Auto dealers and service stations.....	14	535	4,838	359	102.00	6.91	4.5
Retail, eating and drinking places.....	17	814	5,434	196	61.80	3.48	2.5
Other.....	50	1,777	18,802	311	77.50	1.63	3.9
Finance, insurance, and real estate.....	21	720	9,202	266	50.10	2.81	3.3
Services.....	104	4,388	51,399	2,066	156.00	3.86	25.8
Personal.....	12	515	4,009	130	33.60	3.14	1.7
Medical and health.....	22	1,718	10,650	328	7.75	2.99	4.1
Education (public and private).....	27	161	20,412	1,319	42.80	6.07	16.5
Other.....	43	1,994	16,328	1,289	145.00	1.74	3.6
Government.....	16	220	13,052	330	15.70	2.47	4.1
Total, Monroe County.....	401	11,841	258,635	7,991	358.00	3.00	100.0

Industry group	Total employment		Total vacancies		"Immediate" vacancies	
	Number	Percent distribution	Number	Percent distribution	Number	Percent distribution
Durable manufacturing.....	94,644	36.6	2,537	31.7	2,168	43.5
Construction.....	11,536	4.5	966	12.1	2,302	6.1
Trade.....	43,317	16.7	1,010	12.6	882	17.7
Education.....	20,412	7.9	1,319	16.5	135	2.7
All other.....	88,726	34.3	2,159	27.0	1,502	30.1
Total, Monroe County.....	258,635	100.0	7,991	100.0	4,989	100.0

¹ Statistically unreliable owing to large relative size of standard error.

² Statistically unreliable.

It should be noted, however, that an unemployed person is defined, in official statistics, as a person immediately available for work. Our definition of job vacancies, on the other hand, includes positions for later starting dates. Another comparison, more valid for some purposes, can be made between the unemployment rate and what might be called the immediate job vacancy rate. The latter would relate job vacancies for immediate starting to the sum of total employment plus "immediate vacancies." This computation yields an immediate vacancy rate of 1.9 percent.

The (total) vacancy rate was highest for the group of smallest employers, but fluctuated erratically between other size classes; employers of 2,500 or more persons had an

overall vacancy rate of 3 percent, the same as for all firms combined.

A measure of the reliability of the sample estimates is provided by the standard errors shown in each table. The standard error indicates, approximately, the range within which the (usually unknown) true value will be, with a given probability. For example, the total number of vacancies, estimated at 7,991, has a standard error of 358 (table 1). This means technically that about 68 percent of all estimates of total vacancies, which could be made from samples of 400 firms drawn like the NICE sample, would fall within 358 of the true value. Also, about 95 percent of all sample values would be within 716, or two standard errors, of the true value;

and about 99 percent would be within 1,074, or three standard errors. Thus we can judge the reliability, or accuracy, of a sample estimate by comparing it to its standard error. When the standard error is small relative to the sample estimate (as with the estimate for total vacancies), the estimate may be taken to be reasonably reliable. When the standard error is large relative to the same estimate (see "personal services" in table 2), not much confidence in the numerical value of the estimate is warranted.

On the survey date, more than one-third of total employment (excluding agriculture and private households) was in durable manufacturing (table 2). This reflects the importance of the photographic, optical, and



Public Law 89-39
89th Congress, S. 435
June 14, 1965

An Act

To extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, the Secretary of Agriculture is authorized to acquire by exchange, purchase, or otherwise, the real property described in section 3 of this Act. Upon such acquisition the boundaries of the Kaniksu National Forest are extended to include such real property. Kaniksu National Forest, Idaho. Boundaries extension.

SEC. 2. In the acquisition of the real property described in section 3, the Secretary of Agriculture shall be guided by the following policies: Real property, acquisition policies.

(1) He should make every reasonable effort to acquire the property by negotiated purchase.

(2) The property should be appraised at its fair market value by the Secretary of Agriculture before the initiation of negotiations, and the owner or his designated representative should be given an opportunity to accompany the appraiser during an inspection of the property. 79 STAT. 129.
79 STAT. 130.

SEC. 3. The real property authorized to be acquired under authority of this Act is more particularly described as follows: Description.

Township 63 north, range 4 west, Boise meridian:

Section 18, southeast quarter southeast quarter; section 19, northeast quarter northeast quarter, lot 3 (southeast quarter northeast quarter); section 20, southwest quarter northwest quarter; section 33, lot 1 (northeast quarter northwest quarter), lot 2 (southeast quarter northwest quarter), lot 3 (northeast quarter southeast quarter), lot 6 (southeast quarter southwest quarter), west half southwest quarter northeast quarter, west half northwest quarter southeast quarter, southwest quarter southeast quarter.

Township 63 north, range 5 west, Boise meridian:

Section 24, northeast quarter northeast quarter, east half northwest quarter northeast quarter, northeast quarter northeast quarter southwest quarter northeast quarter, northwest quarter southeast quarter northeast quarter, lot 2 (northeast quarter southeast quarter northeast quarter), lot 3 (northeast quarter southeast quarter southeast quarter northeast quarter).

Approved June 14, 1965.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 351 accompanying H. R. 5798 (Comm. on Interior & Insular Affairs).

SENATE REPORT No. 70 (Comm. on Interior & Insular Affairs).

CONGRESSIONAL RECORD, Vol. 111 (1965):

Mar. 4: Considered and passed Senate.

May 20: Considered and passed House, amended, in lieu of H. R. 5798.

June 1: Senate concurred in House amendment.

